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46

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The Philosophy of Right

The Philosophy of History

BY GEORG WILHELM FRIEDRICH HEGEL



WILLIAM BENTON *Publisher*

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BIOGRAPHICAL NOTE

GEORG WILHELM FRIEDRICH HEGEL 1770-1831

Hegel was born at Stuttgart, August 27 1770 the oldest child of a minor official. His achievement at the local grammar school and *Gymnasium* was not remarkable. A journal from that time contains evidence of interest in history Greek and Latin literature and theology and he then began his lifelong habit of making copious extracts from his reading which he annotated and arranged alphabetically. At the age of fifteen he entered the University of Tübingen as a student of theology. But he showed little aptitude for theology his sermons were a failure and he found more congenial reading in the classics. The certificate which he received in 1793 commended his excellent talents but declared that his industry and knowledge were mediocre his speaking poor and that he was particularly deficient in philosophy. He seems to have profited most from the companionship of his friend notably Heidegger and Schelling with whom he read Kant and Plato. On leaving Tübingen Hegel became a tutor in private families as had Kant and Fichte before him. He held his post first at Bern (1793-1796) and then at Frankfurt (1797-1800). From these years when he was able to devote his main large number of manuscripts in various stages of completion and finishing important but ill-indicated evidence of a great deal of

drawal specifying among other requirements a good beer. Expressing his joy at the recent friend in the academic world

thus to know how could I return to the life of mankind. Schelling's answer must have been enthusiastic for Hegel abandoned his plans for a quiet vacation and joined him at Jena almost immediately. Here he became a Privatdozent at the university after he had previously published his dissertation on the treatment of the

canonist and he subsequently began a systematic exposition. In the preface to his first

and the first systematic treatment of his philosophy

day before the battle after expressing anxiety regarding the fate of his manuscripts then on the way to the printer he spoke of seeing Napoleon. I saw the Emperor—that world soul—ride through the town to reassure it. I had a strange feeling to see such persons who here from a single point sitting in his horse reached the end of the world!

The Phenomenology of Spirit appeared in 1807 despite the warning that Hegel himself was at

loose ends For a time (1807-1808) he edited the *Bamberger Zeitung* but finding journalism distasteful he accepted a position as headmaster of the *Aegidien gymnasium* at Nuremberg where he remained until 1816 In 1811 he married Two volumes of his *Science of Logic* were published in 1812 and a third in 1816 and he was offered professorships at Erlangen Heidel

1817 the offer of Berlin was renewed and accepted and he occupied the chair vacant since the death of Fichte

The thirteen years of Hegel's professorship

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On the 7th of November 1831 Hegel finished the preface to a second edition of his *Logic* In closing he recalled the legend that Plato revised the *Republic* seven times and remarked that despite this illustrious example the writer must content himself with what he has been allowed to achieve under the pressure of circumstances the unavoidable waste caused by the extent and many sidedness of the interests of the time and the haunting doubt whether amid the loud clamor of the day and the deafening babble of opinion there is left any room for sympathy with the passionless stillness of a science of pure thought Seven days later he died of cholera and was buried as he had wished between Fichte and Solger

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The thirteen years of Hegel's professorship at the University of Berlin (1818-1831) brought him to the summit of his career and made him the recognized leader of philosophic thought in Germany With every year his personal prestige and following increased until his name was linked with that of Goethe by his more enthusiastic disciples In 1821 he published *The Philosophy of Right* the last of the large works pub-

lished in his lifetime His lectures on aesthetics the philosophy of religion the philosophy of history and the history of philosophy were constantly revised and improved and finally published after his death In 1830 he became rector of the university and was decorated by Frederick William III of Prussia

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ABBREVIATIONS

HEGEL'S WORKS

<i>Aesthetic</i>	≡ <i>Hegel's Philosophy of Fine Art</i> translated by F P B O mas ton 4 vols London 1916
<i>Enc</i>	≡ <i>Encyclopaedia of the Philosophical Sciences</i>
<i>Hegels e R</i>	≡ <i>Hegels erludige Rede e ku ge seiner Rechtsphlosophe hrs von G Lasson Leipzig 1930</i>
<i>History of Philosophy</i>	≡ <i>Hegels History of Philosophy</i> translated by C S Haldane 3 vols London 1892
<i>Philosophy</i>	≡ <i>Hegels Phenomenology of Mind</i> translated by Sir J B B illic 2nd edn London 1931
<i>Philosophy of History</i>	≡ <i>Hegels Philosophy of History</i> translated by J S bree pp 153-369 in this volume
<i>Philosophy of Religion</i>	≡ <i>Hegels Philosophy of Religion</i> translated by the Rev E B Speirs and J Burdon Sanderson 3 vols London 1895
<i>Science of Logic</i>	≡ <i>Hegels Science of Logic</i> translated by W H John t n and L G Struthers 2 vols London 1929
<i>Werke</i> or	≡ <i>Hegels tliche Werke</i> neu hrsg von H Glckner Stuttgart 197 ff The page n t o quoted is that of the original ed t io which is gi en in the margin of Glockner s reprint

EDITIONS AND TRANSLATIONS OF THE PHILOSOPHY OF RIGHT

<i>Bolland</i>	≡ <i>Hegels Cdlnie d r Philosophe s Rechts hrsg von G J P J Bolland Leyden 1902</i>
<i>Gass</i>	≡ <i>Hegels mtliche Werke</i> vol xiii Berlin 1st edn 1833 3rd edn 1854
<i>Lasso</i>	≡ <i>Hegels G n dlnien de Philosophie des Recht</i> neu hrsg vo G L s on 2nd edn Leipzig 1921
<i>Iss eo</i>	≡ <i>Hegels Li camed i d filosofia del d tto</i> tradotti da F anc co Mes lineo Br 1913
<i>Sterritt</i>	≡ <i>The Ethics of Hegel</i> translated lectures from his <i>Rechtsphilosophie</i> with an introduction by J M bride Sterritt D D Boston 1893

OTHER WORKS

<i>Science of Knowledge</i>	≡ <i>Fichtes Science of Knowledge (Wissenschaftlehre)</i> translated by A E K oeg London 1839
<i>Science of Rights</i>	≡ <i>Fichtes Science of Right (Grndlage s N t u cht)</i> translated by A F Kro ge L do 1889 Ref re ce to number ed edition a e m t t d i hrsg r s t r i t i o n and th y are inserted here from J G Fichte <i>Werke</i> hrsg von F M d i c u s L e p z i g 1903 vol ii
<i>Philosophy of Law</i>	≡ <i>Kants Philosophy of Law (the Science of Right in ol 42)</i> in this set pp 395-453) translated by W Hastie
<i>Kant Theory of Ethics</i>	≡ <i>Kants Theory of Ethics</i> translated by T K. Abbott 6th edn London 1923

In quoting f m t n s l a t o n s f H e g e l t h t r a n s l a t o r i h i s N o t e s h s m d m i f f e a t i o n s h e e a d t h r e i o r d e t o b r i n g t h t e r m i n l g y i t c c d a c w i t h t h a t u s e d h

PREFACE

THE immediate and constant to publish this manual is the need for putting into the hands of my audience a text-book for the lectures on the Philosophy of Right which I deliver in the course of my professional duties. This compendium is

ing principle. But in this book I am presupposing that philosophy's mode of progression from one topic to another and its mode of scientific proof—this whole speculative way of knowing

of the Sciences (Heidelberg)

But this manual was to appear in print and therefore it now comes before the general public and this was my inducement to amplify here good many of the Remarks which were primarily meant in a brief compass to indicate ideas about my argument to vary with it, further inferences from it and the like material which would receive its exquisite lucidation in my lectures. The subject amplifying them here

tion and logic in the... I discuss the thing and have become recognized as inadequate for speculative science or rather the inadequacy has not been recognized. It has only been felt and then these feelers have been thrown off as if they were mere feelers in order to allow the heart the imagination and the usual intuition to say what they pleased. And since reflection and connexions of thought have to all to come on the scene as well there is an unconscious relapse into the despised method of commonplace deduction and a genuine notion

Since I have fully expounded the nature of speculative knowledge in my *Science of Logic* in this manual I have only added an explanatory note before and then about procedure and method

and accepted, just the form in which it is arranged has its rules and artifices which have long been settled. Philosophical manuals are perhaps to be expected to differ from such a pattern. It is supposed that what philosophy puts together is as ephemeral as Penelope's web which must be begun afresh every morning.

I need hardly say that the half difference between this manual and an ordinary compendium lies in the method which constitutes their ground.

Where Hegel has cited in the *Philosophy of Right* paragraphs as in the first edition the translation has depended upon the brackets to refer to the corresponding passages in the third edition.

been regarded as superfluous when argued in an age with philosophical method is presupposed for another it will be obvious from the work itself that the whole like the format of its parts rests on the logical point. It is also from this point of view above all that I should like to book to be taken and judged. What we have to do with here is philosophical science and in such science content is essentially bound up with form.

We may of course hear from those who seem to be taking a profound view that the form is something external and indifferent to the subject matter that the latter alone is important further the task of writing especially writing

Clara Cresswell for the Reviewer—Ed.

on philosophy may be said to lie in the discov-

charged what we find in the first place is that the same old stew is continually warmed up

preferably be regarded as the superfluous labour of a busybody— They have Moses and the Prophets let them hear them In particular we have ample opportunity to marvel at the pretentious tone recognizable in these busybodies when they talk as if the world had wanted for nothing except their energetic dissemination of truths or as if their *récl' aufé* were productive of new and unheard of truths and was to be specially taken to heart before everything else to day and every day But in this situation we also find one party giving out truths of this sort only to have them dislodged and brushed aside by truths of just the same sort purveyed by other parties In this press of truths there is something neither new nor old but perennial yet how else is this to be lifted out of these reflections which oscillate from this to that with

formulation in the law of the land in the moral

It requires to be grasped in thought as well the content which is already rational in principle must win the *form* of rationality and so appear well founded to untrammelled thinking Such thinking does not remain stationary at the given whether the given be upheld by the external positive authority of the state or the *consensus hominum* or by the authority of inward feeling and emotion and by the witness of the spirit which directly concurs with it On the contrary, thought which is free starts out from itself and thereupon claims to know itself as united in its innermost being with the truth

The unsophisticated heart takes the simple line of adhering with trustful conviction to what is publicly accepted as true and then building on this firm foundation its conduct and its position in life Against this simple line of conduct there may at once be raised the alleged difficulty of how it is possible in an infinite variety of opinions to distinguish and discover what is

universally recognized and valid This perplexity may at first sight be taken for a right and really serious attitude to the thing but in fact those who boast of this perplexity are in the position of not being able to see the wood for the trees the only perplexity and difficulty they are in is one of their own making Indeed this perplexity and difficulty of theirs is proof rather that they want as the substance of the right and the ethical not what is universally recognized and valid but something else If they had been serious with what is universally accepted instead of buying themselves with the vanity and particularity of opinions and things they would have clung to what is substantively right namely to the command of the ethical order and the state and would have regulated their lives in accordance with these

A more serious difficulty arises however from the fact that man thinks and tries to find in thinking both his freedom and the basis of ethical life But however lofty however divine the right of thought may be it is perverted into wrong if it is only this [opining] which passes for thinking and if thinking knows itself to be free only when it diverges from what is universally recognized and valid and when it has discovered how to invent for itself some particular character

At the present time the idea that freedom of thought and of mind generally evinces itself only in divergence from indeed in hostility to what is publicly recognized might seem to be most firmly rooted in connexion with the state and it is chiefly for this reason that a philosophy of the state might seem essentially to have the task of discovering and promulgating still another theory and a special and original one at that In examining this idea and the activity in conformity with it we might suppose that no state or constitution had ever existed in the world at all or was even in being at the present time but that nowadays—and this nowadays lasts for ever—we had to start all over again from the beginning and that the ethical world had just been waiting for such present day projects proofs and investigations So far as nature is concerned people grant that it is nature as it is which philosophy has to bring within its ken that the philosopher's stone lies concealed somewhere somewhere within nature itself that nature is inherently rational and that what knowledge has to investigate and grasp in concepts is this actual reason present in it not the formations and accidents evident to the superficial observer but nature's eternal harmony its

harm however in the sense of the law and essence immanent within it. The ethical world on the other hand, the state (reason as it actualizes itself in the element of self-consciousness) is not allowed to enjoy the good fortune which springs from the fact that it is reason which has achieved power and mastery within that element and which maintains itself and has

enough Hegel's ethics to his own application to science and hence every sleeper has numbered himself among the elect but the concepts he has acquired in sleep are themselves of course only the wages of sleep

A ringleader of these hosts of superficiality of these self-styled philosophers Herr Fries did not blush on the occasion of a public festival which has become notorious to express the following ideas in a speech on 'The state and the constitution'. In the people ruled by a genuine communal spirit life for the discharge of all public business would come forth below from the people itself. If long association indissolubly united by the holy chain of friendship would be dedicated to every single project of popular education and popular service and so on. This is the quintessence of shallow thinking to base philosophical science not on the development of thought and the concept but on immediate sense perception and the play of fancy to take the right inward articulation of ethical life as the state the architecture of that life's rationality — which extends its limit to the different circles of public life and their rights uses the strict accuracy of measurement which holds together every pillar arch and buttress and there

and every one nowadays is a philosopher. In this tone in his grasp as his bright light. Now admittedly it is the case that those who live their lives in the state as it actually exists here and now and find satisfaction therein for their knowledge and intuition (and of these there are many many in fact) think rightly to be content. Ultimately this is the position of every body who eat any rate with consciousness find their satisfaction in the state laugh at these operations and affirmations and regard them as an empty game sometimes rather funny sometimes rather serious now amusing now dangerous. Thus this restlessness of empty effort taken together with its popularity and the well it has effected, would be a thing on its own, developing in privacy in its own way were it not that it is philosophy itself which has reaped all kinds of scorn and discredit by its industry in this occupation. The worst of these

is that which is out of

—as in fact of course it is not—to the subject to decide of opinion and caprice. By these means

with us

If it be what we have seen cent philosophers publically proclaiming with the maximum of pretensions but the state is really justified anybody who could do busy himself with the subject in this situation that he would manufacture philosophy of this kind himself without do and gain himself proof of his possession of philosophy. Besides this self-styled philosophy

Mephistopheles a good authority! says on

thing like this a quotation I have used else where already Do but despise intellect and knowledge the highest of all man's gifts and thou hast surrendered thyself to the devil and to perdition art doomed The next thing is that such sentiments assume even the guise of piety for this bustling activity has used any and every expedient in its endeavour to give itself authority With godliness and the Bible however it has arrogated to itself the highest of justifications for despising the ethical order and the objectivity of law since it is piety too which envelops in the simpler intuition of feeling the truth which is articulated in the world into an organic realm But if it is piety of the right sort it sheds the form of this emotional region soon as it leaves the inner life enters upon the daylight of the Idea's development and revealed riches and brings with it out of its inner workshop of God reverence for law and for an absolute truth exalted above the subjective form of feeling

The particular form of guilty conscience revealed by the type of eloquence in which such superficiality flaunts itself may be brought to your attention here and above all if you notice that when it is furthest from mind superficiality peaks most of mind when its talk is the most tedious dead and alive stuff its favourite words are life and vitalize and when it gives evidence of the pure selfishness of baseless pride the word most on its lips is people But the special mark which it carries on its brow is the hatred of law Right and ethics and the actual world of justice and ethical life are understood through thoughts through thoughts they are invested with a rational form i.e. with universality and determinacy This form is law and this it is which the feeling that tipulates for its own whim the conscience that places right in subjective conviction has reason to regard as its chief foe The formal character of the right as a duty and a law it feels as the letter cold and dead as a shackle for it does not recognize itself in the law and so does not recognize itself as free there because law is the reason of the thing and reason refuses to allow feeling to warm itself at its own private hearth Hence law as I have remarked somewhere in the course of this text book is *par excellence* the shibboleth which marks out the false friend and comrades of what they call the people

At the present time the pettifoggery of capitalism has usurped the name of philosophy and

succeeded in giving a wide public the opinion that such triflings are philosophy The result of this is that it has now become almost a disgrace to go on peaking in philosophical terms about the nature of the state and law abiding men cannot be blamed if they become impatient so soon as they hear mention of a philosophical science of the state Still less is it a matter for surprise that governments have at last directed their attention to this kind of philosophy since apart from anything else philosophy with us is not as it was with the Greeks for instance pursued in private like an art but has an existence in the open in contact with the public and especially or even only in the service of the state Governments have proved their trust in their scholars who have made philosophy their chosen field by leaving entirely to them the construction and contents of philosophy—though here and there if you like it may not have been too much confidence that has been shown as indifference to learning itself and professorial chairs of philosophy have been retained only as a tradition (in France for instance to the best of my knowledge chairs of metaphysics at least have been allowed to lapse) Their confidence however has very often been ill repaid or alternatively if you preferred to see indifference you would have to regard the result the decay of thorough knowledge as the penalty of this indifference Prima facie superficiality seems to be extremely accommodating one might say at least in relation to public peace and order because it fails to touch or even to guess at the substance of the things no action or at least no police action would thus have been taken against it in the first instance had it not been that there still existed in the state a need for a deeper education and insight a need which the state required philosophical science to satisfy On the other hand superficial thinking about the ethical order about right and duty in general starts automatically from the maxims which constitute superficiality in this sphere i.e. from the principles of the Sophists which are so clearly outlined for our information in Plato What is right these principles locate in subjective aims and opinions in subjective feeling and particular conviction and from them there follows the ruin of the inner ethical life and a good conscience of love and right dealing between private persons no less than the ruin of public order and the law of the land. The significance

PREFACE

Men must acquire for gov

dering the justification from the superficial
ity to which that study has been degraded and
on the other of being themselves rooted in the
element against which they turn so ungratefully
For by pronouncing the knowledge of truth a
rather this self-styled philosophy

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n

men and slaves virtue and vice
honour learning and ignorance. The result of this
elementary process is that the concepts of what is
true the laws of ethics have become noth-
ing more than opinions and subjective con-
ceptions. The maxims of the worst of criminal
since they too are conceptions are put on the
same level of value as those laws and at the
same time any object however sorry however
accidental a material however insignificant is put
on the same level of value as what constitutes
the interest of all thinking men and the bond
of the ethical world.

It is to be taken as a piece of luck

whole in earnest.

In the fresh importance which circumstances
attach to the character

themselves they treat themselves as
with. More than that they verbally rail against
and pursue to test namely the specu-
lative knowledge of God in nature and mind the
knowledge of truth to be a foolhardy and even sin-
ful presumptuousness while reason and again
reason and reason is perverted and first mis-
raged, disparaged, and condemned. At the very
last such bewingings are fatal to that majesty
of the engaged in this supposedly scientific
the claims of the concept are an embarrassment
me to which although they cannot escape I
entirely say that any with which phenomena
before him may really begin to think that if
they all considered tradition is now neither
worthy of respect nor sufficient to secure for
the study of philosophy the title and ornament
even as public institution. The arrogant decla-
mations current in our time against philo-
sophy present the singular spectacle on the one hand of

the rational, it is for that every reason the proper
basis of the present and the actual in the
effect of being supposed to exist. God
known as he is rather than which exists and we can
perfectly well say what is namely in the error of
a decided empty rationalism. In the course
of this book I have remarked that even Plato's
Republic which passes properly as an empty
ideal is in essence nothing but a interpretation
of the nature of Greek ethical life. Plato was
conscious that this was being taken into that life
in his own time a deeper principle which could
appear in the directly only as a living still un-
finished, and so only as something corruptive.
The most that he needs must have sought and
found that every living gets itself better and had to
come from men. He had realized that Plato could do
was to look in the final place in part which ex-
ternal form of that same Greek ethical life. By

I came across mill view letter J. H.
M. L. (H. C. P. R. 57) I talk of it. I
for me in 8 be the yw und Fre ch
rol b says Ask d bo th publ d an nal ti

that means he thought to make this corruptive invader and thereby he did fatal injury to the deeper impulse which underlay it namely free infinite personality. Still his genius is proved by the fact that the principle on which the distinctive character of his Idea of the state turns is precisely the pivot on which the impending world revolution turned at that time

What is rational is actual and what is actual is rational On this conviction the plain man like the philosopher takes his stand and from it philosophy starts in its study of the universe of mind as well as the universe of nature. If reflection feeling or whatever form subjective consciousness may take looks upon the present as something vacuous and looks beyond it with the eyes of superior wisdom it finds itself in a vacuum and because it is actual only in the present it is itself mere vacuity. If on the other hand the Idea passes for only an Idea for something represented in an opinion philosophy rejects such a view and shows that nothing is actual except the Idea. Once that is granted the great thing is to apprehend in the show of the temporal and transient the substance which is immanent and the eternal which is present. For since rationality (which is synonymous with the Idea) enters upon external existence simultaneously with its actualization it emerges with an infinite wealth of forms shapes and appearances. Around its heart it throws a motley covering with which consciousness is at home to begin with a covering which the concept has first to penetrate before it can find the inward pulse and feel it still beating in the outward appearances. But the infinite variety of circumstance which is developed in this externality by the light of the essence glinting in it—this endless material and its organization—this is not the subject matter of philosophy. To touch this at all would be to meddle with things to which philosophy is unsuited on such topics it may save itself the trouble of giving good advice. Plato might have omitted his recommendation to nurses to keep on the move with infants and to rock them continually in their arms. And Fichte too need not have carried what has been called the construction of his passport regulations to such a pitch of perfection as to require suspects not merely to sign their passports but to have their likenesses painted on them. Along

such tracks all trace of philosophy is lost and such super erudition it can the more readily disclaim since its attitude to this infinite multitude of topics should of course be most liberal. In adopting this attitude philosophic science shows itself to be poles apart from the hatred with which the folly of superior wisdom regards a vast number of affairs and institutions a hatred in which pettiness takes the greatest delight because only by venting it does it attain a feeling of its self hood.

This book then containing as it does the science of the state is to be nothing other than the endeavour to apprehend and portray the state as something inherently rational. As a work of philosophy it must be poles apart from an attempt to construct a state as it ought to be. The instruction which it may contain cannot consist in teaching the state what it ought to be it can only show how the state the ethical universe is to be understood.

Ἰλ δὲ Ῥόδῳ Ἄ δὲ ἰ δὲ πῆλῃ
Hic Rhodu hic saltus

To comprehend what is this is the task of philosophy because what is reason. Whatever happens every individual is a child of his time so philosophy too is its own time apprehended in thoughts. It is just as absurd to fancy that a philosophy can transcend its contemporary world as it is to fancy that an individual can overleap his own age jump over Rhodes. If his theory really goes beyond the world as it is and builds an ideal one as it ought to be that world exists indeed but only in his opinions an unsubstantial element where anything you please may in fancy be built.

With hardly an alteration the proverb just quoted would run

Here is the road dance thou here

What lies between reason as self conscious mind and reason as an actual world before our eyes what separates the former from the latter and prevents it from finding satisfaction in the latter is the fetter of some abstraction or other which has not been liberated [and so transformed] into the concept. To recognize reason as the rose in the cross of the present and thereby to enjoy the present this is the rational insight which reconciles us to the actual the rec-

See the R m k t P r ph 14 See P r phs
185 a d 6 F e e l f h t p e s o l t y —See I
graph 5 z d 35—F
ee th A d t to l r a g r a p h 7 d the l o s s
p a r e s f t h l h t p h y / H t y —E
Cf Pl t L e x i 789—E

what is substantive while still retaining suby c
Cf B c \ m O z = 184—E

— to free they can not be improved and that this is the only reflection which can keep us at peace with the world. There is less chill in the peace with the world which knowledge supplies.

One word more about the instruction as to what the world ought to be. Philosophy is a yoke always comes on the scene too late to give it. As the thought of the world it appears only when actuality is already there cut and dried after its process of formation has been completed. The teaching of the concept which is

rather abstractly as the unity
tent for firm in its most concrete signification

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prehend in the concept in order to see and so to find it. If in the world as it exists to-day. The saying has become famous that a half philosophy leads away from God—and it is the same half philosophy that caten knowledge in approximation to truth—while true philosophy leads to God. And the same true philosophy and the truth. Just as reason is content with its approximation which as something new the cold no hot it will pursue its motion. It is just a little content with the cold depositions which binds to the earth in the earthly life things are truly bad. It is to be tolerated here.

See p. —E
See Rem. k. F. r. a. p. h. y. —E
Cl. K. C. i. q. f. f. R. p. 94.—E

By philosophy's grey in grey it is rejuvenated but only understood. The owl of Minerva preads its wings only with the fall of the dusk.

But it is time to close this preface. After all as a preface its only business has been to make some eternal and subjective remarks about the

other than a scientific discussion. It is not itself they can count only as a person's epilogue and as capricious as a fable and he must treat them with indifference.

BERLIN June 25th 1820.

Cl. Goeth F. i. F. r. i. l. l. 39~4 —Ed.

[Concept of the Philosophy of Right of the Will Freedom and Right]

— 1 —

bee m m m d d i i m j u r e r r i l l s p e r r i l l s
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n a l t r m s w h t t u s e t h e s e m m e d i a t l y e x p o s e
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s t t f i l a v e i n d e e d i s a n t r a t h c r e p t
f m t w u l d p p e j u s t a s b r a r d t o a t
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i n m a y c a s e s) B t t h d e d c t i f t h d f i n i t
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The science of right is a section of philosophy. Consequently the task is to develop the Idea—the Idea being the rational fact in any

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The truth is that in phil soph cal k wiled the
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Acc ordi ng t o th e b e s t c o n t e m p o r a n y p h i l o s o p h i c a l m e t h o d i f t h e s c i e n c e s t h e f i r s t t h i n g s o g h t d d m a n d e d i s d e f i n i t e t a n y r a t t h i s d e m a n d m a d e f t h e s a k i f p r e s e r v i n g t h e e x t r a n f m o f s c i e n c e p o o d (B t t h s c i e n c e i f p o s i t i v e l a w t h e l e a s t c a n n o t b e r y i n t u i t i v e l y c o n c e r n e d w i t h d f i n i t e n s s i n c e i t b e g i n s i n t h e f i r s t p l a c e b y s t a t u t i n g w h a t i s l e g a l w h a t t h e p a r t i c u l a r l e g a l p r o v i s i o n s a r e d f t h i s r e a s o n t h e w a r n i n g h a s

See Paragraphs 1-5 —E
See Paragraphs 1-5 and 4 —Ed.

kn ing with its formal definitions, syllogism
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In all law definition is always hazardous —E

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the handiest of all but it is also the most unphilo

guiding principle the subjectivity contingency and

3 Right is positive in general (a) when it has the form of being valid in a particular state and this legal authority is the guiding principle for the knowledge of right in this positive form (b) for the science of positive law (c) Right in this positive form acquires a positive element in its content

(a) through the particular national character of a people its stage of historical development and the whole complex of relations connected with the necessities of nature

(b) because a system of positive law must necessarily involve the application of the universal concept to particular externally given characteristics of objects and cases This application lies outside speculative thought and the development of the concept and is the subsumption by the Understanding [of the particular under the universal]

(c) through the finally detailed provisions requisite for actually pronouncing judgement in court

If inclination caprice and the sentiments of the heart are set up in opposition to positive right and the laws philosophy at least cannot recognize authorities of that sort—That force and tyranny be an element in law is accidental to law and has nothing to do with its nature Later on in this book in Paragraph 11 it will be shown at what point right must become positive The details to be expounded there are being mentioned here only to indicate the limits of the philosophical study of law and to obviate at once any possible supposition that alone demand that the outcome of its systematic development should be a code of positive law i.e. a code like the one an actual state requires

Natural law or law from the philosophical point of view is distinct from positive law but to pervert

their difference into an opposition and a contradiction would be a gross misunderstanding The relation between them is much more like that between Institutes and Pandects

As for the historical element in positive law mentioned above in Paragraph 3 Montesquieu proclaimed the true historical view the genuinely philosophical position namely that legislation both in general and in its particular provisions is to be

up the character of a nation and an epoch It is being so connected that the various laws acquire their true meaning and the truth their justification To consider particular laws as they appear and develop in time is a purely historical task Like acquaintance with what can be logically deduced from a comparison of these laws with previously existing legal principles this task is appreciated and rewarded in its own sphere and has no relation whatever to the philosophical study of the subject—unless of course the derivation of particular laws from historical events is confused with their derivation from the concept and the historical explanation and justification is stretched to become an absolutely valid justification On this difference which is very important and should be firmly adhered to is also very obvious A particular law may be shown to be wholly grounded in and consistent with the circumstances and with existing legally established institutions and yet it may be wrong and irrational in its essential character like a number of provisions in Roman private law which followed quite logically from such institutions as Roman matrimony and Roman *paterfamilias* But even if particular laws are both right and reasonable still it is one thing to prove that they have that character—which cannot be truly done except by means of the concept—and quite another to describe their appearance in history or the circumstances contingencies, needs and events which brought about the enactment That kind of exposition and (pragmatic) knowledge based on proximate or remote historical causes is frequently called explanation or preferably comprehension by those who think that to expound history in this way is the only thing or rather the essential thing the only important thing to be done in order to comprehend law really established institutions where such is really essential the concept of the thing they have not discussed at all From the same point of view reference is commonly made also to the Roman or the German concepts of law i.e. concepts of law as they might be defined in this or that legal code whereas what is meant is not concepts but legal general principles propositions of the Understanding maxims positive laws and the like

By dint of obscuring the difference between the

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See Rem 1 a d Add i t P r x ph 80—E

INTRODUCTION

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R ma Low—E
5th edn., § 53
A de xx.

means when he says that Favorinus did not understand the law. Any schoolboy is perfectly capable of understanding it and Shylock would have understood better than any one else the clause cited above which would have been so advantageous to him. By understanding Herr Hugo must have meant only that level of understanding which in the case of such a law is content if it can find a good reason for it.

Still another misunderstanding of which Favorinus was convicted by Caecilius in the same context is one to which a philosopher may surely confess without exactly blushing. I mean the failure to understand that *jumentum* (which is distinct from *citra*) is according to the law the only conveyance to be provided for a sick man who has to appear in court) is to be interpreted to mean not only a horse but also a carriage or wagon. From this legal proviso Caecilius was able to derive a further proof of the excellence and precision.

One covered in and upheld according to Caecilius interpretation and one not so comfortable. Here we would have the choice between the severity of the original law and the triviality of such distinctions but to describe such things and still more the learned interpretation as trivial would be one of the worst of insults to erudition of this kind and others!

But in the same *Lehrbuch* Herr Hue speaks and is hanging in of the Rome) y was is and were compelled to work and hence needed the assistance of draught and pack animals such as we are familiar with our selves that in Roman territory hills and valleys alternated and that the city was built on a hill and so forth—disquisitions which were

the highest demands of reason. That is quite right. Roman law in respect of the family slavery &c. fails even to satisfy reason's most modest demands. But in dealing with later periods of Roman history Herr Hugo forgets to tell us whether in any of them and if so in which Roman law did satisfy the highest demands of reason. However of the classical jurists in the

titled as these same Roman jurists

contention supported by the curious fact that nowhere are there to be found so many trichotomies as there are in the classical

science of the Understanding but this deductive method of the Understanding has nothing whatever to do with the satisfaction of the demands of reason or with philosophical science. But apart from that it is the illogicality of the Roman jurists and practitioners that must be regarded as one of their chief virtues for by dint of being illogical

what was nevertheless *he ed ias*) and downright foolish subterfuges (and folly also is illogicality) in order to preserve the letter of the Twelve Tables (e.g. by the *fictio iuris* that a *filia* was a *filius*). It is ludicrous though to see the classical jurists compared with Kant because of a few trichotomous divisions especially those cited as examples in the fifth note to Herr Hugo's paragraph and to see that kind of thing called development of concepts

4 The basis of right in general mind its precise place and point of origin is the will. The will is free so that freedom is both the substance of right and its goal while the system of right is the realm of freedom made actual the world of mind brought forth out of itself like a second nature

In considering the freedom of the will we may recall the old maxim

to est tha
f ex s a facted in the manner of the old empirical psychology from the various feelings and phenomena of the ordinary consciousness such as remorse guilt and the like by maintaining that they were to be explained only in the light of a will that was free. But it is more convenient of course to arrive at the same point by taking the short cut of proposing that freedom is given as a fact of consciousness and that we must simply believe in it!

The proof that the will is a distinct nature has already as a link in the

C U d the sly' (see R m k t
P K ph 8) — F d
J G H neccel d i g u i t m R m m f
p r a d i a m l e t t m S y n d a m (l i s e l 75) l i
l i t i s 4

that no class of writers is so well en

§ 33-9 [p c t i 7th ed.]
40 [d i d l n 7th ed]
89 [§ 314 in 7th edn.]

INTRODUCTION

t start with is int lly, since that th phases thro gh
 such t passes in its devel pment from feelin,
 through representative thinking t thinking proper
 are t. oad al which t prod es itself as will
 and that will as practical mind in gen ral is th
 tr th f int lly ce th tag xt bo e t These
 premisses I have expounded in my E y l poedis f
 the Philo ph of Scien and I h pe by d by t
 be ble t laborat th m still f rth Th re is all
 t. more eed f m by so d ing t make my co
 tributio t what I h pe is th deeper kn wledge f
 th nature f mind in that, as I have said th E
 cyclopaedis scarcely any phil sophical science is so
 neglected and so ill f as th theory f mind usually
 called "psych l gy". Th m m is in th co cept f
 th will which are dealt with in this and the f ll w
 ing Paragraphs f th Introd ctu result f m th
 premisses to which I h just ref rred, but in dci
 tion any ne may find h lpt wards f rming idea
 f them by callin his wn self-consciousness. I
 th first place any ne can disco e m himself bility
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 sam way t determine himself t po t y co
 tent m himself b his wn f rrt and similarly th
 th specific charact ristics f th will are exempli
 fied f him in his wn consci ousness [A.]

§ The will contains () the element of pure
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 th while busting social rd —as the luminati
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 social rder d th annihilat f organizat n
 which tries t rise anew from th ruins. Only in de
 stro ing som thin does this egati e will possess
 th techn f itself as ex t. Of co rise t imagines
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 [A.]

6 (β) At the same time the ego s also the
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 n ture or engend red by the concept of m nd
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 minate ex t nce This is the absolute moment
 the finitude or particularizat on of the ego

This seco d m ment—det rminat n—is egati ty
 and cancelati lik th first, i.e. it cancels the b
 tract eativity f th first. Since t is th general
 rule that th particula s co tained in th univ rsal,
 t f ll ws that this seco d m m t is alre dy co
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 m m t I mean—because by itself t is ly th first
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 th concept, but onl something determinat ne
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 W t with t d terminacy and t becom

absolut b tractu univ ersality th y
 th u h of o e elf

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 distinct from th will as an ther special f culty and
 wh even proceed t tend th t thinking, is p)
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theref re th restricti n—th negati m m m
 wh th as g en xt rnal barrie as an ctivity
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T pprehe d th egativity mma ent in th un
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titled as these same Roman jurists to be compared with mathematicians in respect of the rigorous logic of their deductive reasoning or with the new founder of metaphysics in respect of their quite strikingly distinctive method of developing their concepts—a contention supported by the curious fact that nowhere are there to be found so many trichotomies as there are in the classical jurists and in Kant. Logical deduction a method commended by Leibniz is certainly an essential characteristic of the study of positive law as of mathematics and any other science of the Understanding but this deductive method of the Understanding has nothing whatever to do with the satisfaction of the demands of reason or with philosophical science. But apart from that it is the illogicality of the Roman jurists and praetors that must be regarded as one of their chief virtues for by dint of being illogical they evaded unjust and detestable laws though in the process they found themselves compelled *call de* to devise empty verbal distinctions (e.g. to call *bonorum possessio* what was nevertheless *hereditas*) a downright foolish subterfuge (and folly also is illogicality) in order to preserve the letter of the Twelve Tables (e.g. by the *fictio* *ut pater* that a *filius* was a *filius*). It is ludicrous though to see the classical jurists compared with Kant because of a few trichotomous divisions especially those cited as examples in the fifth note to Herr Hugo's paragraph and to see that kind of thing called development of concepts

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thanks to the numerous editions of Herr Hugo's *Lehrbuch*) that no class of writers is so well en-

fundamental premises of this proof are that mind is
 C II de— if lly the ly' (see R m k t
 P x ph s)—E
 J G H ec I A ligit i m Rom m } i
 prud i m l i e t m Sy t ma [B sel 175] lib
 i tit II § 24

§§ 38-9 [op cit 1 7th edn.]

§ 4 [ibid 1 7th ed.]

§ 289 [§ 314 in 7th edn.]

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will and it is only in so far as it resol es that the
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 guished th proposi is rath th truth d will is
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[A.]

2 Th h le of this cont t as we light upon

4 The fin te will as in respect of its form
 tho gh nly its form the self r flect g s de
 p dent nd infinite ego (s Paragraph 5)
 tands er ts c tent e it vari u mpulses
 and lso o er the f rth rsepa te w y s i wh ch
 these a tualiz d and satisfied. At the same
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minate it is n t t e u t t is m p
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See P ragraphs 8 d 11—En
 i i P ragraphs d s with the Rem k
 there —E

See P ragraph —E
 See Part III—E

next step which speculative philosophy had to take—a step of whose necessity they have no inkling—who hold to the dualism of infinite and finite and do not even grasp it in that immanence and abstraction in which Fichte did [A]

7 (γ) The will is the unity of both these moments. It is particularity reflected into itself and so brought back to universality i.e. it is individuality. It is the *self* determination of the ego which means that at one and the same time the ego posits itself as its own negative i.e. as restricted and determinate and yet remains by itself i.e. in its self identity and universality. It determines itself and yet at the same time binds itself together with itself. The ego determines itself in so far as it is the relating of negativity to itself. As this self relation it is indifferent to this determinacy it knows it as something which is its own something which is only ideal a mere possibility by which it is not constrained and in which it is confined only because it has put itself in it—This is the freedom of the will and it constitutes the concept or substantiality of the will its weight so to speak just as weight constitutes the substantiality of a body.

Every self consciousness knows itself (i) as universal as the potentiality of abstracting from everything determinate and (ii) as particular with a determinate object content and aim. Still both these moments are only abstractions what is concrete and true (and everything true is concrete) is the universality which has the particular as its opposite but the particular which by its reflection into itself has been equated with the universal. This unity is in duality not individuality in its immediacy as a

fourth idea of individuality but individuality in accordance with its concept. Indeed individuality in this sense is just precisely the concept itself. The first two moments—(i) that the will can abstract from everything and (ii) that it is also determined in some specific way either by itself or by something else—are readily admitted and regarded because taken independently they are false at the moments of the Understanding. But the third moment which is true and speculative (and everything true must be thought speculatively if it is to be comprehended) is the one into which the Understanding

penetrates and universal prior to its determining itself and prior to its superseding and idealizing this determination. The will is not a will until it is this self mediating activity this return into itself [A]

8 The more detailed process of particularization (see Paragraph 6) constitutes the difference between the forms of the will. (a) If the will's determinate character lies in the abstract opposition of its subjectivity to the objectivity of external immediate existence then this is the formal will of mere self consciousness which finds an external world confronting it. As individuality returning in its determinacy into itself it is the process of translating the subjective purpose into objectivity through the use of its own activity and some external means. Once mind has developed its potentialities to actuality (*wie es an und für sich ist*) its determinate character is true and simply its own. At that stage the relation of consciousness constitutes only the appearance of the will an aspect which is not separately considered any further here [A]

9 (b) In so far as the specific determinations of the will are its own or in general its particularization reflected into itself they are its content. This content as content of the will is in accordance with the form of will described in (a) its purpose either its inward or subjective purpose when the will merely images its object or else its purpose actualized and achieved by means of its activity of translating its subjective purpose into objectivity.

10 This content or the will's determination on something specific is in the first place immediate. Consequently the will is then free only in itself or for an external observer or to speak generally it is the will in its concept. It is not until it has itself as its object that the will is for itself what it is in itself.

Finite duration consists therefore in this, that what something is in itself or in accordance with its concept is one phenomenon or exists in one way while what it is for itself is a different phenomenon or exists in another way so for example its if the abstract reciprocal eternality characteristic of nature is space but for itself it is time. In this case the two things are to be not confused. (i) The true is the Idea and the Idea alone and hence if you take an object or category only as it is in itself or in its concept you have not yet grasped it in its truth. (ii) A thing which is in itself or as concept is also existing in some way and its existence in such a way is a shape proper to the thing itself (as parcels in the example just given).

Enc. [1st edn.] § 363 [3d ed. § 440]
With this Paragraph philosophy has reached its end
P. 189 pb. 5 8 8 d. 09—F
See Addit. to P. 189 pb. 43—E.

desire of philosophical dress is desired, then the coming to what was remarked before, has passed in mere times and still passes. Philosophy thus does may be had cheap by the simple device of saying that the man discovers within himself as if it is his consciousness that night, property to the fact, the way of his reason. It is in the text that the subject-matter which presents here in the shape of images, will come the same in another form, as in the shape of ideas.

2. When reflection is brought to bear on images that are mirrored, estimated, compared with one another with the means of satisfaction and their consequences &c. and with a sense of the action (the will) however. In this way reflection reveals this material which is abstract universality and in this external manner presents it from a crude and barbarous. This growth of the universality of thought is the absolute value in education (compare Paragraph 3) [A.]

The truth, however, of this abstract universality, which is a determination in itself and finds its determination in the material mentioned in Paragraph 3 is self-determining universality. The will, freedom. In this way our essential or true nature is revealed.

(1) When the will self-consciousness takes the form of desire and impulse, this consciousness is self-consciousness, just as sensation in general desires external, and therefore the condition in which self-consciousness is self-external. (2) When the will is reflective, it takes two elements—this self-consciousness and the universality of thought. (3) When the will potentials have become fully explicit, then it has its object, the will itself, as such, and so the will in its sheer universality—a universality which is what it is simply because it has ascribed to itself the immediacy of instinctive desire and the particularity which is produced by reflection and with which such desire properly becomes imbued. But this process of abstraction is elevated to universality what is called its activity. Therefore, the self-consciousness which presents its object, content, and aim, and raises them to this universality, acts like as thinking getting its way in the will. Here is the point at which it becomes clear that it is just as thinking indifference that the will is genuinely will and free. The slave does not know his essence, his nature, his freedom; he does so to himself as human in essence, and he lacks this knowledge of himself because he does not think

himself. This self-consciousness which opens ends itself through thinking as essentially human, and thereby frees itself from the contingent and the false with principle of its reality and all ethical philosophical utterances about it, its nature and ethical from those who would banish it and have been released from its enthusiasm the heart and the breast, the expressive of the heart to tempt the poor man which thought and philosophical science have fallen, because what this amounts to is that even philosophical science itself plunged in self-deception and extreme error is taken as it is pronounced in barbarity and absence of thought and would do its best to rob mankind of all truth, worth, and dignity [A.]

3. It is the will whose potentialities have become fully explicit which is truly universal because its object is itself and so it is of itself.

After or a barrier on the contrary in the world in actual reality.

Thus, if anyone speaks simply of the free will as such, without specially referring to the will which is free absolutely by its nature, only of the capacity of freedom, of the natural and final will (see Paragraph 3) and not by any means thereof of the free will, despite his intention and the words he uses.

Once the Understanding takes the infinite as something sensitive and so as something beyond, it supposes that it is doing all the more honour to the infinite, the more it probes it into its distance away from itself and removes it from itself as something alien. In the free will, the truly infinite becomes actual and present; the free will itself is this idea whose nature it is to be present here and now [A.]

3. Only in freedom of this kind is the will by itself with its qualification, because then it is related to nothing except itself and so is released from every kind of dependence on anything else. The will is then true, rather truth itself, because its self-determination consists in a correspondence between what it is in its existence (i.e. what it is as object to itself) and its concept in the world, the pure concept of the will has the intuition of itself as its goal and its reality.

24. The will is then universal, because all restriction and all particular individuality have been absorbed within it. These lie only in the difference between the concept and its corresponding object, or to put it otherwise in the differ-

2. Remark is to Paragraphs 3 and 4.—Ed.
See Paragraphs 3 and 4, and especially Remark to Paragraph 3.—Ed.
See Paragraph 3 and 4.—Ed.
See Paragraph 3 and 4.—Ed.

14 it may be mine or it may not and the ego similarly is the possibility of determining my elf to this or to something else of *choosing* between these specific determinations which at this point I regard as external to me

15 At this stage the freedom of the will is arbitrariness (*Willkür*) and this involves two factors (a) free reflection abstracting from everything and (b) dependence on a content and material given either from within or from without Because this content implicitly necessary as purpose is at the same time qualified in the face of free reflection as possible it follows that arbitrariness is contingency manifesting itself as will

The idea which people most commonly have of freedom is that it is arbitrariness—the mean chosen by abstract reflection between the will wholly determined by natural impulses and the will free absolutely If we hear it said that the definition of freedom is ability to do what we please such an idea can only be taken to reveal an utter immaturity of thought for it contains not even an inkling of the absolutely free will of right ethical life and so forth Reflect on the formal universality and unity of self consciousness is the will's abstract certainty of its freedom but it is not yet the truth of freedom because it has not yet got *itself* as its content and aim and consequently the subjective side is still other than the objective the content of this self determination therefore also remains purely and simply finite Instead of being the will in its truth arbitrariness is more like the will as contradicted

In the controversy carried on especially at the time of Wolff's metaphysics as to whether the will were really free or whether the conviction of its freedom were only a delusion it was arbitrariness which was in view In opposition to the certitude of this abstract self determination determinism has rightly pointed to the content which as something met with is not contained in that certitude and so comes to it from outside although outside this content means impulses ideas or in general consciousness so filled in one way or another that its content is

16 What the will has decided to choose (see Paragraph 14) it can equally easily renounce (see Paragraph 5) But its ability to go beyond

See Paragraph 9 dith Rem kth et —E
See Paragraph 5 —Ed
See Rem kth Paragraph b —E

any other choice which it may substitute and so on *ad infinitum* never enables it to get beyond its own finitude because the content of every such choice is something other than the form of the will and therefore something finite while the opposite of determinacy namely indeterminacy i.e. indecision or abstraction from any content is only the other equally one-sided moment of the will

17 The contradiction which the arbitrary will is (see Paragraph 15) comes into appearance as a dialectic of impulses and inclinations each of them is in the way of every other—the satisfaction of one is unavoidably subordinated or sacrificed to the satisfaction of another and so on An impulse is simply a unidirectional urge and thus has no measuring rod in itself and so this determination of its subordination or sacrifice is the contingent decision of the arbitrary will which in deciding may proceed either by using intelligence to calculate which impulse will give most satisfaction or else in accordance with any other optional consideration [A]

18 In connexion with the judgement of impulses this dialectic appears in the following form (a) As immanent and so positive the determinations of the immediate will are good thus man is said to be by nature good (b) But in so far as these determinations are natural and thus are in general opposed to freedom and the concept of mind and hence negative they must

ness [A]

19 In the demand for the purification of impulses there lies the general notion that they should be freed both from their form as immediate and natural determinations and also from the subjectivity and contingency of their content and so brought back to their substantial essence The truth behind this vague demand is that the impulse should become the rational system of the will's volitions To grasp them like that proceeding out of the concept of the will is the content of the philosophical science of right

The content of this science through every single one of its moments e.g. right property morality family state and so forth may be expounded in the form man has by nature the impulse to do right also the impulse to property and morally also so the impulse lies between the sexes the impulse to sociability &c This form it becomes found in empirical psychology But if instead the latter

See Paragraph 39 —E

INTRODUCTION

5. embodied whole This whole as what s
substantive is independent of the opposition
between a merely subjective aim and its real
ratio and is the same in both despite the difference
in form.

29. An extent of any sort embodying the free
will, this is what right is. Right therefore is by
definition freedom as Idea.
both the Kantian and the German

material the ideal and the right the right in ques-
tion is liberty in the form of the right of abstract
personality. Materiality ethical the interest of the
state which of these is right for a special character
— specific forms and embodied

with
the same
we rent
a, it could
right of
cause any
personality with
but what it has inherent in it the concept of
— the highest category of mind in con-
trast with which any thing is with the sub-
— the same time contains its poles

which is absolute with the equilibrium

31. The method whereby metaphysical concepts
the concept develops itself out of itself is ex-
posed and is here likewise presup-

various things
tion of the universal to extraneous material of
that sort culled from elsewhere.

The concepts in the principle which like
— dissolved the particularizations of the

which they based.

3. It is only because the right is the embodiment
of the absolute concept of self-consciousness free
dom that it is something sacred. But the
exclusively formal has the right (and duty)
also a wealth (essence) rises at distinct stages

measure in
it simply in proportion to the determination as con-
tinuity and restriction but in proportion to the determination
proportion to the content and the method deter-
minate because it is this which makes it solely a
development and an unmanipulated progress. But
this dialectic is the unity of objects think-
ing applied to some matter externally but is rather
the matter very simply thinking of itself as branches and

cally in her and more genuinely universal

ence between its implicit character and its subjective awareness of itself or between its universality and its exclusive individuality the in-dividuality which resolves

abstract and external universality but in connexion with absolute universality—and the universality here in question is of this character—we have to think neither of the universality of reflection in itself nor of the universality as a common characteristic nor of the abstract universality which stands outside and over against the individual the abstract identity of the Understanding (see Remark to Paragraph 6) It is the universality concrete in character and so explicitly universal which is the substance of self-consciousness its immanent generic essence or its immanent Idea. Thus—the concept of the free will—is the universal which overlaps its object penetrates its particular determination through and through and there remains identical with itself. The absolutely universal is definable as what is called the rational and it can be apprehended only in this speculative way.

25 The subjective in relation to the will in general means the will's self-conscious side its individuality (see Paragraph 7) in distinction from its implicit concept. The subjectivity of the will means therefore

(a) the pure form of the will the absolute unity of self-consciousness with itself (a unity in which self-consciousness as $I=I$ is purely and simply inward and abstractly self-dependent) the pure certainty as distinguished from the truth of individuality

(β) the particular will as the arbitrary will and the contingent content of optional aims

(γ) in general the one-sided form of the will (see Paragraph 8) for which the thing willed whatever its content is but a content belonging to self-consciousness and an aim unfulfilled

6 (a) The will is purely and simply objective in so far as it has itself for its determination and so is in correspondence with its concept and genuinely a will

(β) but the objective will being without the infinite form of self-consciousness is the will absorbed in its object or condition whatever the content of these may be it is the will of the child the ethical will also the will of the slave the superstitious man &c

11 h d d f m

the will first becomes objective to itself in this

Enc [11 edn] §§ 118 6 [3d ed §§ 69 78]

sense through the fulfilment of its aims

These logical categories—subjectivity and objectivity—have been set forth in detail here primarily with a view to pointing out especially in relation to them since they are often used in the sequel that they like other distinctions and opposed categories of reflection pass over into their opposites as a result of their finitude and their dialectical character. In other cases of opposition between two categories

opposed aspects are supposed to be at one and the same time abstractions and yet determinations of the will which can be known only as something concrete and they lead automatically to their identity and to the confusion of their meanings—a confusion into which the Understanding slips quite unconsciously. Thus for example the will as inward freedom is subjectivity itself subjectivity therefore is the concept of the will and so its objectivity. But it is its subjectivity contrasted with objectivity which is finite and yet because of this very contrast the will is not by itself but is entangled with its object and so its finitude consists quite as much in the fact that it is not subjective—and so on. Hence the meaning is to be attributed in what follows to subjectivity or objective in respect of the will must each time appear from the context which supplies the data for inferring their position in relation to the will as a whole [A]

27 The absolute goal or if you like the absolute impulse of free mind (see Paragraph 1) is to make its freedom its object i.e. to make freedom objective as much in the sense that freedom shall be the rational system of mind as in the sense that this system shall be the world of immediate actuality (see Paragraph 6) In making freedom its object mind's purpose is to be explicitly as Idea what the will is implicitly. The definition of the concept of the will in abstraction from the Idea of the will is the free will which wills the free will

8 The will's activity consists in annulling the contradiction between subjectivity and objectivity and giving its aims an objective instead of a subjective character while at the same time remaining by itself even in objectivity. Outside the formal mode of willing (i.e. consciousness see Paragraph 8) where objectivity is present only as immediate actuality this activity is in essence the development of the substantive content of the Idea (see Paragraph 1)—a development through which the concept determines the Idea itself at first abstract until it becomes a

See Paragraph 35—Ed

FIRST PART

ABSTRACT RIGHT

34. The absolutely free will is the stage when the concept of abstract has the determinate character of the system of abstracts.

partly for rights and partly for duties the concept and the basis (itself abstract) of the system of abstract and therefore formal right. Hence the imperative of right is: Be a person and respect others as persons.

37 (2) The particularity of the will is a moment in the consciousness of the will as a whole (see Paragraph 34) but it is not yet contained in abstract personality as such. Therefore it is present at this point but as still sundered from personality from the character of freedom and impulse casual whim.

35 The universality of this consciously free will abstract universality the life-necessity but otherwise contentless and simple relation of itself to itself in its individuality and from this point forth with subjective personality implies that as this person (I) I am completely determined everywhere (in my inner capacity impulse and desire as well as by immediate external conditions) the less

the particular motive behind my will is sight and intent on [A.]

38 In relation to action in the concrete and to moral and ethical ties abstract right is in conformity

are restricted or constrained because of its actuality in relation to the legal. Do not forget persons always and what personality entails. The result is that there are only prohibitions in the sphere of right and the positive form of any command in this sphere is based in the last resort if we examine its ultimate content on prohibition.

39 (3) As mediated individuality person in making decisions is related to the world of nature directly confronting him and thus the personality of the will stands over against this world.

has itself as the abstract and free object of itself as subject and aim and so is personality [A.]

36 () Personality essentially in itself is causal.

See Paragraph 35 — E
See Phenomenon of (Bamberg and Wittenburg § 8, 12)
§ 8 [E] § 8 [R] and Enc § 12 [D].
§ 8 [red edn. § 1]

4 Right in the first place the mediated
See Paragraphs 9 R. and Paragraph 3 — E

bring reason to bear on the object from the outside and so to tamper with it but to find that the object is rational on its own account here it is mind in its

science is to bring into consciousness this proper work of the reason of the thing itself

32 The determinations of the concept in the course of its development are from one point of view themselves concepts but from another they take the form of existents since the concept is in essence Idea The series of concepts which this development yields is therefore at the same time a series of shapes of experience and philosophic science must treat them accordingly

In a more speculative sense a concept's determinacy and its mode of existence are one and the same thing But it is to be noticed that the moments whose result is a further determined form of the concept precede it in the philosophical development of the Idea as determinations of the concept but they do not go in advance of it in the temporal development as shapes of experience Thus for instance the Idea determined as the family presupposes the determinations of the concept from which the family will later on in this work be shown to result But the explicit existence of these inner presuppositions as shapes of experience also e.g. as the right of property contract morality and so forth is the other aspect of the development and it is only in a higher and more complete civilization that the development has gone so far as to endow its moments with this appropriately shaped existence [A]

Division of the Subject

33 In correspondence with the stages in the development of the Idea of the absolutely free will the will is

A immediate its concept therefore is abstract namely personality and its embodiment is an immediate external thing—the sphere of *Abstract or Formal Right*

B reflected from its external embodiment into itself—it is then characterized as subjective individuality in opposition to the universal The universal here is characterized as something inward the good and also as something outward a world presented to the will both these sides of the Idea are here mediated only by each other This is the Idea in its division or in its existence as particular and here we have the right of the subjective will in relation to the right of the world and the right of the Idea though only the

Idea implicit—the sphere of *Morality*

C the unity and truth of both these abstract moments—the Idea of the good not only apprehended in thought but so realized both in the will reflected into itself and in the external world that freedom exists as substance as actuality and necessity no less than as subjective will this is the Idea in its absolutely universal existence—*Ethical Life*

But on the same principle the ethical substance is

- (a) natural mind the *Family*
- (b) in its division and appearance *Civil Society*
- (c) the *State* as freedom freedom universal and objective even in the free self subsistence of the particular will This actual and organic mind (a) of a single nation (β) reveals and actualizes itself through the inter relation of the particular national minds until (γ) in the process of world history it reveals and actualizes itself as the universal world mind whose right is supreme

The fact that when a thing or a content is posited first of all in accordance with its concept as it is implicitly it then has the form of immediacy is pure being is the doctrine of speculative logic here presupposed the concept which confronts itself in the form of the concept is a different thing and no longer something immediate

The principle which determines the division of the subject is likewise presupposed The division may also be looked upon as a predeclaration in his torical form of the parts of the book since the various stages must engender themselves out of the subject matter itself If something is in the development of the Idea A philosophical division is far from being an external one it is not an external classification of a given material according to its nature or more borrowed bases of division but on the contrary is the immanent self difference that out of the concept

Morality and ethical life which perhaps usually pass over as synonymous are taken here in essentially different senses The entire commonplace that Hegel seems to be distinguishing them Kant generally prefers to use the word morality and since the principles of action in his philosophy are always limited to this conception though he takes the standpoint of ethical life completely impossibly in fact they are explicitly nullified and put to rest by moral and ethical means the same thing by derivation that would in no way hinder them once they had become different words from being used for different conceptions [A]

See Preface 41—F

ABSTRACT RIGHT

come through the mediation of the will, e. g. things with determinate characteristics which are in question here where the topic under discussion is personality itself at this point still in the most elementary immediacy

Mental treasures, erudition, artistic skill, ecclesiastical (like sermons, masses, prayers, consecration of various objects) in the sense, and so forth become subjects of contract, brought into partnership through being bought and sold, with things recognized as things. It may be asked whether the artist, sculptor, &c., is from the legal point of view in possession of his art, erudition, beauty, prayer, sermon, mass, &c., that is, whether such things are "things." We may hesitate to call such things, trammels, putuses, &c., "things," for while possession of these may be the subject of business dealings and contracts, as if they were things, there is also something inward and mental about it.

—on the understanding may be in

need begin to speak of the transition of such mental property into the external world where it falls under the category of property in the legal sense.

44. A person has as his abstract end the right of putting his will into any and every thing and in it because it has no such end

truth, i.e.

45. To have power over a thing as *extra commercium* possesses. The particular aspect of the matter the fact that I make something my own as a result of my natural need, impulse and caprice is the particular interest satisfied by possession. But I as free will am an object to myself in what I possess and thereby also for the first time am an actual will and this is the aspect which constitutes the category of *property* the true and right fact of possession.

If emphasis is placed on my ends, then the possession of property appears as means to the satisfaction but the true point is that, from the standpoint of freedom, property is the first embodiment of freedom and so is in itself substantive end.

46. Since my will, as the will of a person and as a single will, becomes objective to me in property property expresses the character of person.

essence.

The nature of the elements makes it impossible to use them but become so particularized as to be in private possession only.

In the Roman agrarian laws there was a clash between public and private worship of the land. The latter is the more rational and therefore had to be given preference even at the expense of their rights.

One of the family testamentary trusts so traverses the right of personality and so the right of private property with specific characteristics pertaining to private property may have to be subordinated to the higher sphere of right (going to society, the state)

tenacity

It was an unjust and unethical proviso of Roman law that children were from their father's point of view "things." Hence he was legally the owner of his children, although of course he still also stood to them in the ethical relation of love (though this relation must have been in some way weakened by the injustice of his legal position). Here then, the two qualities being "thing" and "not being thing" were united, though quite wrongly. In the case of abstract right, we are concerned only with the person as person, and therefore with the particular (which is indispensable if the person's freedom is to have scope and reality) only in so far as it is something separable from the person and immediately discernible from him, no matter whether this separability constitutes the essential nature of the particular or whether the particular receives it only through the mediation of the subjective will. Hence in this sphere we are concerned with mental treasures, erudition, &c., only in so far as they are possessions in the legal sense; we have not to treat them as possessions of our body and mind which we can achieve through education, study, habit, &c., and which exists as an inward property of mind. But it is not until we come to deal with alienation that we

embodiment which freedom gives itself in an immediate way i.e. (a) possession which is *property* ownership Freedom is here the freedom of the abstract will in general or *eo ipso* the freedom of a single person related only to himself (b) A person by distinguishing himself from himself relates himself to another person and it is only as owners that these two persons really exist for each other Their implicit identity is realized through the transference of property from one to the other in conformity with a common will and without detriment to the rights of either This is *contract* (c) The will which is differentiated not in the sense of (b) as being contrasted with another person but in the sense of (a) as related to itself is as a particular will at variance with and opposed to itself as an absolute will This opposition is wrongdoing and *crime*

The classification of the system of rights into *jus ad personam* and *jus ad rem* on the one hand and *jus ad actiones* on the other like the many other similar classifications has as its primary aim the imposition of an external order on the mass of unorganized material confronting the classifier The striking thing about this classification is the confusion in it due to the disorderly mixture of rights which presuppose substantial ties e.g. those of family and political life and rights which only concern abstract personality as such This confusion is exemplified in the classification of rights (adopted by Kant and since favoured by others) into *jus reale*, *jus personale* and *jus realiter personale*

To develop the poverty and lack of speculative thought in the classification of rights into *jus ad personam* and *jus ad rem* which lies at the root of the Roman law (*jus ad actiones* concerns the administration of justice and is of a different order altogether) would take us too far afield Here this much at least is clear it is personality alone which can confer a right to things and the *jus ad personam* in its essence is *jus ad rem* being taken here in its general sense as *anything external to my freedom* including *even my body and my life* In this sense *jus ad rem* is the right of personality as such But from the point of view of what is called *jus ad personam* in Roman law a man's reckoned person only when he is treated as possessing a certain status Hence in Roman law *even person* itself is only a certain standing or status contrasted with slavery The so-called Roman law of personal rights then is concerned with family relations on hips though it excludes the right over slaves (and slaves almost includes children too) as well as the rights (called *capitis deminutio*) of his lost one's rights (In Kant by the way family relations

ships are the *jus ad rem personae*) The Roman *jus ad personam* is therefore not the right of the person as person but at most the right of a person in his particular capacity (Later on in this book it will be shown that the substantial basis of family relationships is rather the sacrifice of personality)

such

Kant's *jus ad personam* are the rights issuing from a contract whereby I undertake to give something or to perform something—the *jus ad rem* conferred by an obligation in Roman law To be sure it is only a person who is required to execute the covenants of a contract just as it is also only a person who acquires the right to their execution But a right of this sort cannot for this reason be called a personal right rights of whatever sort belong to a person alone Objectively considered a right arising from a contract is never a right over a person but only a right over something external to a person or something which he can alienate always a right over a thing

Sub section I PROPERTY

41 A person must translate his freedom into an external sphere in order to exist as Idea Personality is the first still wholly abstract determination of the absolute and infinite will and therefore this sphere distinct from the person the sphere capable of embodying his freedom is likewise determined as what is immediately different and separable from him [A]

4 What is immediately different from free mind is that which both for mind and in itself is the external pure and simple *something* not free not personal without rights

Thing itself the objective has two opposed meanings If we say that *something* or *the thing* is *what the subject is to the person* this means what is substantive On the other hand when thing is *object* to the person as such not with the particular subject it means the opposite of *what is substantive* i.e. that which determines characterless in its pure externality From the point of view of freedom which must of course be distinguished from mere consciousness the external is external absolutely and it is for this reason that the determinate character assigned to nature by the concept is inherent in externality [A]

43 As the concept in its immediacy and so as in essence a unit a person has a *natural* existence partly within himself and partly of such a kind that he is related to it as to an external world—It is only these things in their immediacy as things not what they are capable of being

Ph 3 63 167 8—E

See Ph 3 3 33 —E
J C H necc El ment ju c st [B
1761] §1
See Rema k to Paragraphs 75 18 —E

ABSTRACT RIGHT

no unjust. That every right has a subject
 enough his needs is moral and thus vaguely
 expressed is well enough meant but like any thing
 that is only well meant it lacks objectivity. On the
 other hand, substance is not the same as possession
 and belongs to another sphere of reality and society [A]

50. The principle that a thing belongs to the
 person who happens to be the first in time to
 take it into his possession is immediately self-
 explanatory and superfluous because a second
 person cannot take into his possession what is
 already the property of another [A]

51. The property is the embodiment of per-
 sonality. My inward idea and will that something
 is mine is not enough to make it my property.
 I secure this end occupancy is requisite.
 The embodiment which man willing that by at

1. order 1. [A]

52. Occupancy makes the matter of the thing
 my property since matter in itself does not be-
 long to itself

— and matter is the

things (see Remark 1. Paragraph 13
 d Paragraph 43)

Thus the master and external possession of things
 becomes a way that can be infinitely re-
 less and terminates in a completed state. It is
 with the essential form of the world
 because it has as it anything. The moral prop-
 erty thus forms the moral ideal of the
 possession of the thing. The concept of food
 is an ideal of literature fits a habit
 of the character the strength of which it
 what it was before. The training of my
 body in diet like the training of the mind
 likewise more less completely occupies
 the traits of it. It is in the mind which of all things
 I can make the most of my own. Let the actual

property is supposed to be
 property of the thing is one which it must
 matter [A]

53. Property has its modification determined
 in the course of the will's relation to the thing.
 This relation is

- (A) taking possession of the thing directly
 (here it is the thing quodammodo, pos-
 sive that the will has its embodiment)
- (B) use (the thing's negative contrast with
 the will and so it is in the thing as some-
 thing to be negated that the will has its
 embodiment)
- (C) alienation the reflection of the will back
 from the thing into itself

These three respectively the positive, neg-
 ative and finite judgements of the will the
 thing

A Taking Possession

54. We take possession of a thing () by direct
 ly grasp it physically (β) by forming it and
 (γ) by merely marking it as ours [A]

5 () Form the point of view of the nature

such the relation object of an individual
 person. Before it can become such and be appropri-
 ed, it must first be individualized into its parts,
 into the four drink of water. I think of it
 has impossible to take possession of an

subject temporary and eternally stretched

be accidentally brought the people of this method

as happens for instance when private property is put into the hands of a so called artificial person and into mortmain. Still such exceptions to private property cannot be grounded in chance in private caprice or private advantage but only in the rational organism of the state.

The general principle that underlies Plato's ideal

men holding their goods in common and rejecting the principle of private property may readily present itself to the disposition which mistakes the true nature of the freedom of mind and right and fails to apprehend it in its determinate moments. As for the moral or religious view behind this idea when Epicurus's friends proposed to form such an association holding goods in common he forbade them precisely on the ground that their proposal betrayed distrust and that those who distrusted each other were not friends. [A]

47 As a person I am myself an immediate individual if we give further precision to this expression it means in the first instance that I am alive in this bodily organism which is my external existence universal in content and undivided the real pre-condition of every further determined mode of existence. But all the same as person I possess my life and my body like other things only in so far as my will is in them.

The fact that considered as existing not as the concept explicit but only as the concept in its immediacy I am alive and have a bodily organism depends on the concept of life and on the concept of mind as soul—on moments which are taken over here from the Philosophy of Nature and from Anthropology.

I possess the members of my body my life only so long as I will to possess them. An animal cannot maintain or destroy itself but a man can. [A]

48 In so far as the body is an immediate existent it is not in conformity with mind. If it is to be the willing organ and soul endowed instrument of mind it must first be taken into possession by mind (see Paragraph 57). But from the point of view of others I am in essence a free entity in my body while my possession of it is still immediate.

It is only because I am alive as a free entity in my body that this living existent ought not to be misused by being made a beast of burden. While I am alive my soul (the concept and to use a higher term its freedom) and my body are not separated; my body is the embodiment of my freedom and it is with my body that I feel. It is therefore only ab-

stract philosophical reasoning which can so distinguish body and soul as to hold that the thing in itself

withdraw into myself out of my bodily existence and make my body something external to myself particular feelings I can regard as something outside me and in chains I can still be free. But this is only my will so far as others are concerned. I am in my body. To be free from the point of view of others is identical with being free in my determinate existence. If another does violence to my body he does violence to me.

If my body is touched or suffers violence then because I feel I am touched myself actually here and now. This creates the distinction between personal injury and damage to my eternal property for in such property my will is not actually present in this direct fashion.

49 In relation to external things the rational aspect is that I possess property but the particular aspect comprises subjective aims needs and bitranness abilities external circumstances and so forth (see Paragraph 45). On these mere possession as such depends but this particular aspect has in this sphere of abstract personality not yet been established as identical with freedom. What and how much I possess therefore is a matter of indifference so far as rights are concerned.

If at this stage we may speak of more persons than one although no such distinction has yet been made then we may say that in respect of the rational persons are equal. But this is an empty tautology for the person as something abstract has not yet been particularized or established as distinct in some specific way.

Equality is the abstract identity of the Understood, reflects the thought and all kinds of intellectual mediocrity stumble on it at once when they are confronted by the relation of unity to a difference. At this point equality could only be the equality of abstract persons as such and therefore the whole field of possession on this terrain of identity falls outside it.

The demands made for an equality of the Understood of all a doth available resources too is an intellectualism all the more empty and superficial in that at the heart of particular differences there lies not only the eternal contingency of nature but also the whole compass of mind endlessly particularized and differentiated and the rationality of mind developed into organism.

We may not speak of the identity of nature in the unequal distribution of possession as a resource since nature is not free and therefore is either just

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just Th t every ght t h ub t
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t ngle th g (se R m rk t P ra ph 33
d P gr ph 43)
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w th t esse t lf rm fit w d l
b cause t h is it yth g Th m r l ap
p opri t this f rm th m ed l t t l
f th th g The ns mpt f f d

ty [A.]

50 Th princ ple th t a thing b longs to the
perso h happen to be th first in t me to
take t int his pos e s n is immediately self
explanatory and superflu us becaus a second
pe o ann t t ke int h s po se s on wh t is
already the prope ty of a othe [A.]

5 S ce prop ty i the embod me t of p r
t m inward idea a d w ll that something

t oth s [A.]

5 Occupa cy makes th matte of th thing
my p erty sun e matter ts lf d es o t be
l g to itself

M it ff rs estance t me—a d m it is th
m cept th resist t ff t me—that is,
t p e e s t self t my mind as som th b tractly
m d p e d t nly when my m d is tak bstract
ly as ensal (Se se p e p t p e r s ly takes
t d m d as

prope ty is ppo ed t remai
p erty f th th g is e wh ch th ght m t
ma.t [A.]

53 Pr pe ty has its modifcat ons determ ned
in the ource of the will s relation to the th ng
Thi relatio is

- (A) t k g possess on of the thng d ectly
(her it i in the th g q as methng po
t e that the will h sit emb dment)
- (B) use (the thng negati e n cont a t with
th will and so t is in the thng as ome
thing to be negated th t the will has ts
embodime t)
- (C) al enal on the effect on of the will b ch
f om the thng t t self

These th ee e respect ly the po t e ega
t and infi t judg me ts f th will o th
thing

A Tak g Po sess

54 W take posses n of a thing () by d ect
ly gr p ng t phys c ly (β) by form git d
(γ) by m lym lmg t so [A.]

55 () F om th pont f r w f se al on t
grasp th g phys cally sth most mplet f
th e m des bec then I am d ctly p t
in this p sse and the ef my will is ec
gnizabl n t B t at b t m th m de i only
sub j t e t m p rary d s u ly restri ted
in cope well by the q l tati e n tu f
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whi h l m y effect betw en som th g d th gs
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w y s o into whi h methng m y oth r w e
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that t impossabl t tak possess f ex
t rnal ka d f th g as such f an lem t is
t th xt rnal ph cal imposs bility which m t
be looked ultum t b th f ct th t p e o
will haracterized as indu d al whi as per
so h s t th sam tum m m d st indu d lity
hence as p e o h is related t th external w ld

is somewhat enlarged and the same result is produced by other means also

Mechanical forces weapons tool extend the range

sometimes possible for me alone to take possession of something or to make use of it. Instances of such connexions are that my land may be on the seashore or on a river bank or my estate may march with hunting country or pasture or land useful for some other purpose stone or other mineral deposits may be under my fields there may be treasure in or under my ground and so on. The same is true of connexions made by chance and subsequent to possession like some of what are called natural accessions such as alluvial deposits &c. and jetsam (*Fetura* is an accession on to my wealth too but the connexion here is an organic one it is not a case of a thing being added *ab extra* to another thing already in my possession and therefore *fetura* of a type quite different from the other accessions). Alternatively the addition to my property may be looked upon as a non self-subsistent accident of the thing to which it has been added. In every case however these are *external* conjunctions whose bond of connexion is neither like nor the concept. It derives therefore on the Understanding to adduce and weigh their pros and cons and on positive legislation to make decisions about them in accordance with the extent to which the relation between the things conjoined has or has not any essentiality [A]

56 (β) When I impose a form on something the thing's determinate character as mine acquires an independent externality and ceases to be restricted to my presence here and now and to the direct presence of my awareness and will

To impose a form on a thing, the mode of taking possession most in conformity with the Idea to this extent that it implies a union of subject and object although always essentially with the qualitative character of the objects and the variety of subjects it aims

Under this head there also falls the formation of the organ. What I do to the organ does not remain external to it but is internalized by it. Examples are the tilling of the soil the cultivation of plants the taming and feeding of animals the preservation of game as well as contrivances for utilizing raw materials or the forces of nature and processes forming one material produce effects on another and so forth [A]

57 Man pursuant to his immediate existence within himself is something natural external to

comes his own property and no one else's. This taking possession of oneself looked at from the opposite point of view is the translation into action of the

time becomes established as one's own as one's object also and distinct from self-consciousness pure and simple and thereby capable of taking the form of a thing (compare Remark to Paragraph 43)

The alleged justification of slavery (by reference to all its proximate beginnings through physical force capture in war and preservation of life upkeep education philanthropy the slave's own acquiescence and so forth) as well as the justification of a slave ownership as simple lordship in general and all historical views of the justice of slavery and lordship depend on regarding man as a natural entity pure and simple as an existent not in conformity with its concept (an existent also to which arbitrariness is appropriate). The argument for the absolute injustice of slavery on the other hand adheres to the concept of man as mind as something inherently free. This contradiction is resolved in regarding man as free by nature or in other words it takes the concept as such in its immediacy not the Idea as the truth. This antinomy rests, like all others on the abstract truth which asserts both the moments of an Idea in separation from one another and clinches each of them in its independence and so in its inadequacy to the Idea and in its falsity. Freedom consists precisely (see Paragraph 21) in its being no longer implicit or as concept alone but in its transcending this form lastly of its being and essence its immediate natural existence until the essence which it gives to it. If it is so each is solely its own and free. The side of the antinomy which asserts the concept of freedom therefore takes the moment of implicitly abstract testing position though only the starting point for the discovery of truth while the other side goes further than existence within the concept and therefore excludes the object look of rationality and right altogether. The position of the free will within which right and the sense of right being is already inadmissible if the false position at which man as a natural entity and only the concept implicit as free thought is capable of being elevated. This false concept is by primitive phenomenon of slavery in which he himself is made into man and is only at the level of consciousness. The dialectic of the concept and of the properly immanent conscious essence of freedom brings about at this point the fight for freedom and the relationship master and slave. But that object is mediated through the fight should not be apprehended in its subjective concept alone and consequently that man's absolute unfitness for slavery should be

free that he takes possession of himself and be

er be apprehended as mere right to be as some
thing which does not come to mind until
we recognize that the Idea of freedom is genuinely
actual only as the fact [A.]

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INDEX

B Use of the Thing

59 By being taken into possession the thing
acquires the particular manner and my will is re-
lated to it positively. Within this determination the
thing is equally established as something negative
and my will in this situation is a particular
will, i.e. need, in limitation and so forth. Yet my
need, as the particular aspect of a single will is
the positive element which finds satisfaction
and the thing as something negative in itself
exists only for my need and as at its service—
The use of the thing is my need being actually
realized through the change, destruction and
consumption of the thing. The thing thereby
stands revealed as naturally selfless and so ful-
fills its destiny

— and realized nature

60 The thing by grasping it directly is in
itself take possession of a single thing by

its externality i.e. its non substantiality—in
contrast with me it is not an end in itself (see
Paragraph 42)—and hence in my use or employ-
ment of it this externality is realized it follows
that my full use or employment of a thing is the
thing in its entirety so that if I have the full
use of the thing I am its owner. Over and above
the entirety of its use there is nothing left of the
thing which could be the property of another
[A.]

61 My merely partial or temporary use of
thing like my partial or temporary possession
of it (a possession which itself is simply the
partial or temporary possibility of using it) is
therefore to be distinguished from ownership of
the thing itself. If the whole and entire use of a
thing were mine while the abstract ownership
was supposed to be someone else's then the
thing as mine would be penetrated through and
through by my will (see Paragraphs 52 and 61)
and at the same time there would remain in the
thing something impenetrable by me namely
the will, the empty will of another. As a pos-
sible will I would be at one and the same time
object and not object to myself in the thing
—an absolute contradiction. Ownership there-
fore is in essence free and complete

To distinguish between the right to the whole and
entire use of the thing and ownership in the abstract
is the work of the empty Understanding of which
the Idea—i.e. in this instance the unity of (a) will
and (b) the person's will as (b) and (b)
is realized—i.e. the truth about which these
two moments in their separation form the
pass as something which is true. This distinction
thereby as relating to the world of fact is that I
regard the thing and this might be called in-
sensitivity of personality (if we may say by insanity
the relation between the person and the thing is
between man and property objects dead and that of al-
l this (his will) because man as property
— and the direct person

ing possession of the elemental organs but
such products of anything else that they
tions them

62 Since the substance of the thing which
my property is if we take the thing by itself

See Paragraph —En

See Paragraph 4—En

or a fat to make this proviso and thereby give some sense to that empty distinction! A *proprietas semper abscede te usufructu* would not merely be nullus it would be no *proprietas* at all

To examine other distinctions in property itself e.g. between *res incipit* and *et maxima domus* *inquit illam* and *bonitatem* &c is inappropriate here since they have no bearing on any of the modifications of property determined by the concept and are merely titles culled from the history of the right of property. The empty distinction discussed above however is in a way contained in

in their sundry modifications in cases where such burdens are irredeemable. But from another point of view the relations preclude that distinction. They preclude it in so far as burdens are entailed in *dominium* with the result that *dominium* is

strictly sense but an owner on the one hand and an overlord who was the overlord of nothing on the other. But on the core of the burdens imposed there are two owners standing in relation to each other. Although the relation is not that of being common owners of a property till the transition from it to common ownership is very easy—a transition which has already begun in *dominium* *in dicitur* when the yield of the property is circulated and loaded upon as the essential thing while that in

to the title which here is the rational fact

It is about a millennium and a half since the freedom of personality began through the spread of Christianity to blossom and gain recognition as a universal principle from a point though still a small part of the human race. But it was only yesterday I might say that the principle of the freedom of property became recommended in some places. This example from history may serve to rebuke the impatience of opinion and to show the length of time that mankind requires for progress in its self-consciousness

63 A thing in use is a single thing determined quantitatively and qualitatively and related to a specific need. But its specific utility being quantitatively determinate is at the same time comparable with [the specific utility of] other things of like utility. Similarly the specific need which it satisfies is at the same time need in general and thus is comparable on its particular side with other need while the thing in virtue of the same considerations is comparable with things

meeting other needs. Thus the thing's universality whose simple determinate character arises from the particularity of the thing so that it is

of consciousness. As full owner of the thing I am *eo ipso* owner of its value as well as of its use

The distinctive character of the property of a feudal tenant is that he is supposed to be the owner of the use only not of the value of the thing. [A]

64 The form given to a possession and its mark are themselves externalities but for the subjective presence of the will which alone constitutes the meaning and value of externalities. The presence however which use employment or some other mode in which the will expresses itself is an event in time and what is objective in time is the continuance of this expression of the will. Without this the thing becomes a *res nullius* because it has been deprived of the actuality of the will and possession. Therefore I gain or lose possession of property through prescription

Prescription therefore has not been introduced into law solely from an external consideration running counter to right in the strict sense i.e. with a view to truncating the disputes and collisions which old claims would introduce into the security of property. On the contrary prescription rests at bottom on the specific character of property as related to the fact that the will to possess something must express itself

Public memorials are national property or more precisely like works of art general so far as the enjoyment is concerned they have life and continue in themselves so long as they enhance the point of remembrance and honour. If they lose this point they become in this respect *res nullius* in the eyes of a nation and the private possession of the first comer like e.g. the Greek and Egyptian works of art in Turkey

The right of private property which the family of an author has in his publications disappears for a similar reason as specific publications become *res nullius* in the sense that like public memorials though I oppose to say they become public property and by having their peculiar historical topography copied the private property of any

I cannot do created for a bad group of enemies to be perpetually moods an empty absent but still wills which will fringed thing actuality fringed a different respect it can not be grasped [A]

C Alienation of Property

65 The reason I can alienate my property is that it is mine only in so far as I put my will into

the will abandon (derelict) as a res
further and so in his power a provided
things to be in question is a thing ex
ternal by nature. [A.]

66. Therefore those goods or rather ubi tan
the character ties which constitute my own
personality and the universality of
the freedom of the will are inalienable and my
rights are my personality as such my universal
freedom of will, my ethical life in reason.

The fact that what mind is in accordance with its
concept in itself also could be explicitly and
essentially (the fact that thus mind should be
personally capable of holding property should have
an ethical relation) is the idea which is itself
the concept of mind. As such it is free causal
it is not subject to any other law.

It is just in this concept of mind and that which is
what it is only through its own free causality and
through endless return into itself that the nat
ural productivity of its existence that there lies the

something external and that with me co-existent. This
return into myself makes clear the contradiction in
supposing that I have property in it as a possessor
in my capacity of rights, my ethical life. I
begin feeling that I have given up what I
move if I did not possess. I am given up what I so
soon as I possess it exist in essence as mind and
and it is as something external. [A.]

6 Single products of my particular physical
and mental will and of my power to act I can
alienate to someone else and I can give him the
use of my abilities for a restricted period be
cause of the restriction of this restriction in my
abilities acquire an external relation to the total
ity and universality of my being. B alienation
th who e of my time as crystallized in my work
and everything I produced I would be making
into another's property the substance of my be
ing in my universal activity and actuality in per
sonality

The relation here between myself and the external
of my abilities is the same as that between the sub
stance of thing and its use (see Paragraph 6) It
is only when use is restricted that alienation be
tween use and substance arises. So the use of
my powers differs from my powers and the relation

re
sions,
pa

become

branches on property and so forth. And as I
freedom and rationality of morality ethical life and
reason is exemplified in supervising in order
someone else full power and that not to fix and
prescribe what actions are to be done (as when an

now and with moral and religious life, takes
away from these characteristics of mine just that
externality which alone made them capable of pass
ing in the possession of someone else. When I have
thus annulled their externality I cannot love them
through lapse of time from another reason
drawn from my own consent withdrawing alien
them. This return of mine in myself whereby
I make myself exist as Idea, a person with
rights and moral principles, annuls the previous po
sition and the wrong done to me in concept and my
reason by itself and myself with the infinite em
bodiment of self-consciousness has been treated as

68 What is peculiarly mine in a product of my
mind may owing to the method whereby it is
expressed, turn at once into something external
like a thing which can be possessed then be pro
duced by other people. The result is that by taking
ing possession of a thing of this kind its new
owner may make his own the thing itself. I
contained in it the mechanical intention which it
contains and it is able to do this which om
times (e.g. in the case of books) constitutes the
value of these things and the only purpose of
possessing them. Besides this the new owner
of the thing comes into possession of the
universal methods of expressing himself. If and
producing numerous other things of the same
sort.

In the case of works of art, the form—the po
tentiality of the external medium—is re
garded as thing, so peculiarly the property of the
individual artist that copy of a work of art is es
sentially product of the copyist with mental and
technical skill. In the case of literary works, the
form in itself of which it is an external thing is

case the thought has a mechanical content through out. The ways and means of producing thus so that mechanical kind as things are commonplace accomplishments.

But between the work of art at one extreme and the mere journeyman production at the other there are transitional stages which to a greater or less degree partake of the character of one or other of the extremes.

69 Since the owner of such a product in own

single thing even if the author of the book or the inventor of the machine remains the owner of the *universal* ways and means of multiplying such books and machines &c. *Qua* universal ways and means of expression he has not necessarily alienated them but may reserve them to himself as means of expression which belong to him.

The substance of an author's or an inventor's right cannot in the first instance be found in the supposition that when he disposes of a single copy of his work he actually makes a condition that the power to produce facsimiles as things of power which then upon passes to another's possession should not become the property of the other but should remain his.

erty rather it does not cancel the complete and

power to reproduce or to part with this power as a thing of value or to attach no value to it at all and surrender it together with the single exemplar of his work. I reply that this power to reproduce has a special character viz it is that in virtue of which the thing is not merely a possession but a capital asset (see Paragraphs 170 ff.) the fact that it is such an asset depends on the particular eternal kind of way in which the thing is used, way distinct and separable from the use to which the thing is directly destined (the asset belongs to it as has been said an *accessory* like itself). Since then this distinction falls into the sphere of that which nature entails its divisibility into the sphere of *eternal* use (the retention of part of a thing's [external] use and the alienation of another part is not the retention of a proprietorship with itself).

The peculiar negative to the primary means of advancing the sciences and arts is to guarantee scientists and artists against theft and to enable them to benefit from the protection of their property just as it was the primary and most important means of advancing trade and industry to guarantee it against highway robbery.

Moreover the purpose of a product of mind is that

people other than its author should understand it and make it the possession of the ideas memory

memorization them the thoughts of others can be apprehended only by thinking and this re-thinking, the thoughts of others as learning too into a thing which they can alienate very likely has some peculiar form of its own in every case. The result is that they may regard as their own property the capital asset accruing from their learning and may claim for themselves the right to reproduce their learning in books of their own. Though engaged in the propagation of knowledge of all kind in particular those whose appointed task is teaching have as their peculiar function and duty (above all in the case of the positive sciences the doctrine of a church the study of positive law &c.) the repetition of well established thoughts taken up *extra* and all of them given expression already. The same is true of writings devoted to teaching purposes and the spread and propagation of the sciences. Now to what extent does the new form which turns up when a method is expressed gain and again transform the available stock of knowledge and in particular the thoughts of others who still retain *external* property into the intellectual productions of the present into a private mental property of the individual producer and thereby give him or herself the right to make them his *external* property as well? To what extent is such repetition of another material in one's book a plagiarism? There is no precise principle of determination available to answer these questions and therefore they cannot be finally settled either in principle or by positive legislation. Hence plagiarism would have to be a matter of honour and be held in check by honour.

Thus copyright legislation attains its end of securing the property rights of authors and publishers only to a very restricted extent though it does attain it to within limits. The ease with which one may deliberately change something in the form of which we are expounding or in entertaining a definition in a large body of knowledge a comprehensive theory which is another's work a deed even the impossibility of striking out the author's word in reproducing something we have learnt all of them I see (quite apart from the particular purposes for which such repetition is required) to an endless multiplicity of alterations which more or less perfectly stamp out one's property row. For instance the hundreds of handwritten compendia selecta, a theologies &c. arithmetics geometries trigonometries, &c. how have they new ideas in a review or annual or encyclopaedia &c. can be further repeated over and over again under the same or different title and may be claimed as something peculiar to the writer's own. The result of this is easily to be seen: the profit promised to the author of the project of the eternal undying by his work of his original idea becomes negligible or reduced for both

ABSTRACT RIGHT

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C i t pres pp e th t the part s e ter g it
 ec "m ch th as persons and property w
 It is rel t nsb pat th l vel f mind objecti e
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 m m t f ec gait (c mp R ma kst P ra
 graph 35 a d 57) [A.]

Sub-section II CONTRACT

o Th comp ehens ve sum of external act v
 u y i e life is not external to pe s ality as that
 A 17 The s r

72 Contract b i g s nto ex stence the prop-
 erty who e e ternal side its ide as an e istent
 is no lo ger a mere th ng but conta ns the mo
 w ll (and consequ ntly the will of a

owner

73 I ha e power to al enate a property as a
 ext rnal thing (see P r graph 6) but more
 than thus the c ncept compels me to alienat it
 f qu p erty n o der that the eby my w ll may
 become objecti e to me as determinately ext t
 nt I thus s tuat n however my will as al en
 ated s at the me time anothe s w ll Con
 s q e tly th s tuat on whe e n this comp l on
 of th co c pt sre l ed s the unity of dffe t
 t wh ch b th surrende the r

T nst on f m P ope ty to Co tract
 74 Existe ce as determinat be g s ess ce
 bein fo an ther (see R ma kst P a graph 48)

ident cal with the other but retains f om its wn
 point of ew a pec al ha acter of its own

hi h t exist c only b th will t an u r

4 Th s co tr ctual relat onship the ef re is
 the me s whe by one ident al ill an pe st
 w th in th ab lute dffe n bet e i depend
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me of th r pe s s vill as w ll d o
 b ld t in rt f my part pati in a om
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Reason kes t s t necessary f m t ent
 i t t ct l lationsh ps—gift b g t d
 & —as t p scess p erty (se Rem kst P
 gr ph 45) Whil l th y nsci us f is that
 they led t m k tr ct by eed in g ral
 by b ev len d a tage & th f ct em in that
 they led t d thus by so implic it with them
 i by th Idea f th eal ut f free perso l
 ty eal h remea g p ese t th ill l

e a other b l g t g om e lse d th
 m d o t n take pla when the two w ll s as
 c ted identity th se that one of
 th m om s t ts d c s n only in the prese e
 f the othe

75 The two cont ct ng part es elated to
 e ch the s s mmed ate self b stent persons
 Th efo () contract es from the a b tr ry

will (β) The identical will which is brought into existence by the contract is only one *posited* by the parties and so is only a will shared in common and not an absolutely universal will (γ)

has it in its power to alienate (see Paragraphs 65 ff)

To subsume marriage under the concept of contract is thus quite impossible—this subsumption—though shameful—is the only word for it—is propounded in Kant's *Philosophy of Law*. It is equally far from the truth to ground the nature of the state on the contractual relation whether the state is supposed to be a contract of all with all or of all with the monarch and the government.

The intrusion of this contractual relation and relations concerning private property generally into the relation between the individual and the state has been productive of the greatest confusion in both con-

right of the monarch and the state so also in more recent times the rights of the monarch and the state have been regarded as the subjects of a contract and as grounded in contract as something embodying merely a common will and resulting from the arbitrary assents of parties united to a state. However different these two points of view may be they have this in common that they have transferred the characteristics of private property into a sphere of a quite different and higher nature (See below *Ethical Life and the State*) [A]

6 Contract is *formal* when the double consent whereby the common will is brought into exist-

the positive moment—the appropriation of the

therefore in such a contract becomes a property owner and remains so. This is a contract of *exchange* [A]

7 Since in real contract each party retains the same property with which he enters the contract and which at the same time he surrenders what thus remains identical throughout as the property implicit in the contract is distinct from the external things whose owners alter when the ex-

change is made. What remains identical is the value in respect of which the subjects of the

jects of the contract participate (see Paragraph 63)

The legal provision that *laesio enormis* annuls the obligation arising out of the making of a contract

property owner and more precisely an owner of the quantitative equivalent of what he alienates. But a *laesio* is not merely *excess* (as it is taken to be if it exceeds one half of the value) but infinite if someone has entered on a contract or made a stipulation of any sort for the alienation of inalienable goods (see Paragraph 66)

A stipulation moreover differs from a contract first in its *content* because it signifies only some single part or moment of the whole contract and secondly because it is the *form* in which the contract is settled (a point on which more will be said later). So far as its content is concerned it comprises only the formal character of contract i.e. the willingness of one party to give something and the willingness of the other to accept it for this reason the stipulation has been enumerated amongst so called unilateral contracts. The distinction between unilateral and bilateral contracts and distinctions in Roman law between other types of contract are sometimes superficial juxtapositions made from isolated and often eternal points of view such as that of the different types of contractual forms or sometimes they confuse characteristics intrinsic to contract itself with others which only arise later in connexion with the administration of justice (*actioes*) and the legal processes giving effect to positive laws and which are often derived from quite external circumstances and contravene the concept of right.

78 The distinction between property and possession the substantive and external aspects of ownership (see Paragraph 45) appears in the sphere of contract as the distinction between a common will and its actualization or between a covenant and its performance. Once made a covenant taken by itself in distinction from its performance is something held before the mind something therefore to which a particular determinate existence must be given in accordance with the appropriate mode of giving determinate existence to ideas by symbolizing them. This is done therefore by expressing the stipulation in formalities such as gestures and other symbolic actions particularly by declaring it with preci-

La *mi* *i* *d* *m* *ge*
See I *ph* *7* — *L*
E [1 c d] §§ 379 ff [3 d ed §§ 453 ff]

son in language, the most worthy medium for the expression of our mental ideas.

The appropriate accordingly is the arrangement of the contract of contract as to what is intended, and thereby thus contract, previously an idea, thus determined, enters. But the idea which we have with contract is itself of the form which the contract takes to have an idea of the contract does not mean that the contract is still something subjective, desire with it so and so. On the contrary the contract is the will, ultimate decision, subjective wishes [A.]

g. In contract it is the will, and therefore the substance of what is right in the contract that the parties on themselves. In a contract with this substance the possession which is still being retained with the contract remains unfulfilled in relation to something external depend if it is character as possession of the will alone. By making the stipulation, I have given up a property and withdrawn my particular arbitrary will from it, and it has entered into the property of the other. If then I agree to the stipulated terms I am bound to carry them out.

The difference between mere promise and contract lies in the fact that promise is a statement that I will do something, but the promise itself remains subjective. I can still alter a stipulation in a contract, the other hand, is itself already the embodiment of the will, decision in the sense that by making the stipulation I have alienated my property, it has once ceased to be mine and I already recognize it as the property of the other. The distinction in Roman law between *pactum* and *contractus* is a false type.

Fichte himself maintained that in a contract I keep the contract because of the will of the party starts from him, his side of it his reason was that up to that point I am uncertain whether the other party's declarations are serious. I meant I that case it would be that the stipulation I keep the contract before it was carried out would be in the end not an obligation by the stipulation I express of the stipulation is simply declaratory of the real character of the embodied common will which has been brought into existence and which has perfected the arbitrary and alterable disposition of the parties. The question then refers to it whether the parties would have had the same intention when the contract was made. It regards whether he had any other intention. Even if the other party begins to fulfill his duty of the contract, it is enough open to me to do wrong if I like. The duty of Fichte's view is also shown by the fact that we would base contractual rights on the false notion of the progress of the progress of the will in the contract, the divisibility of things, etc. The embodiment of the will in the formal part is an exact and precise language is already the complete

embodiment of the will as intended, and the performance of the contract embodied is only the mechanical consequence.

It is true that in positive law there are so-called "real contracts" as distinguished from "consensual" contracts, in the sense that the former are looked upon as contracts of perfect performance.

So the classification of contracts as a distinction of intelligent treatment of the various species of contracts is not to be denied of external circumstances but from distinct relations in the very nature of contract. These distinctions are those between formal and real contracts between ownership and possession and use between value and specific thing, and they yield contracts of the following types

A. G. II

(1) Gift of a thing—gift properly so called

(2) Loan of a thing—the gift of a portion of the thing for restricted use and enjoyment of it where the lender remains the owner of the thing (*mutuum* and *commodatum* with its interest). Here the thing lent with a specific thing for use even if the thing may one day be lost, look do universal, it may be a thing which enters into the thing universal in its nature.

(3) Gift of a thing for any sort of the mere safe keeping of property (*depositum*). The gift of a thing with special condition that is except it shall become the property of the donor if the donor death the date at which he enters into a contract to be an owner of property is a testamentary disposition in this is contained.

See P. 122, 123, 124.

The distinction here is between the will of the donor and the will of the donee. On would be expected that the real contract class can be on contracts as real and consensual nominate and innominate. It would have been long since abandoned in favor of the real classification.

in the concept of contract but presupposes civil society and positive legislation

B Exchange

(1) Exchange as such

(a) exchange of a thing pure and simple i.e. exchange of one specific thing for another of the same kind

(β) purchase or sale (*emptio venditio*) exchange of a specific thing for one characterized as universal one which counts as value alone and which lacks the other specific character utility—i.e. for money

(γ) Letting (*locatio conductio*) alienation of the temporary use of a property in return for rent

(a) letting of a specific thing—letting strictly so called or

(β) letting of a universal thing so that the lessor remains only the owner of this universal or in other words of the value—loan (*mutuum* or even *commodatum* if interest is charged) The additional empirical characteristics of the thing (which may be e.g. a flat furniture a house *res fungibilis* or *non fungibilis* &c.) entail (as in A above) other particular though unimportant subdivisions

(3) Contract for wages (*locatio operae*)—alienation of my productive capacity or my services so far that is as these are alienable the alienation being restricted in time or in some other way (see Paragraph 67)

Counsel's acceptance of a brief is akin to this and so are other contracts whose fulfillment depends on character good faith or superior gifts and where an incommensurability arises between the services rendered and a value in terms of cash (In such cases the cash payment is called not wages but honorarium)

C Completion of a contract (cautio) through giving a pledge

In the contracts whereby I part with the use of a thing I am no longer in possession of the thing though I am still its owner as for example when I let a house. Furthermore in gifts or contracts for exchange or purchase I may have become the owner of a thing without as yet being in possession of it and the same claim age between ownership and possession arises in respect of the implement of any contract which is not simply a cash or barter transaction. Now what the pledge effects is that in the one case I remain and in the other the case I am put in actual possession of the value of the thing which is still or has already become my property without in either case being in possession of the specific thing

which I am renouncing or which is to be mine. The pledge is a specific thing but one which is my property only to the extent of the value of the property which I have renounced into another's possession or which is due to me. Its specific character as a thing and any excess value it may have will belong to the person who gave the pledge. Giving a pledge therefore is not itself a contract but only a stipulation (see [Remark to] Paragraph 77) i.e. it is the moment which brings a contract to completion so far as the possession of the property is concerned. Mortgage and surety are particular forms of pledge [A]

81 In the bare relation of immediate persons to one another their wills while implicitly identical and in contract posited by them as common are yet particular. Because they are immediate persons it is a matter of chance whether or not their particular wills actually correspond with the implicit will although it is only through the former that the latter has its real existence. If the particular will is explicitly at variance with the universal it assumes a way of looking at things and a volition which are capricious and fortuitous and comes on the scene in opposition to the principle of rightness. This is wrong

The transition to wrong is made by the logical necessity that the moments of the concept—here the principle of rightness or the will as universal and rightful in its real existence—which is just the particularity of the will—should be posited as explicitly different and thus happens when the concept is realized abstractly. But this particularity of the will taken by itself is arbitrariness and contingency and in contract I have surrendered these as arbitrary arbitrariness in the case of a single thing and not as the arbitrariness and contingency of the will itself [A]

Sub section III

WRONG

8 In contract the principle of rightness is present as something posited while its inner universality is there as something common in the arbitrariness and particular will of the parties. This appearance of right in which right and its essential embodiment the particular will correspond immediately i.e. fortuitously proceeds in wrong to become a *show* an opposition between the principle of rightness and the particular will as that in which rightful becomes particularized. But the truth of this show is its nullity and the fact that right reasserts itself by negating this negation of itself. In this process the right is mediated by returning into itself out of the negation of itself thereby it makes itself actual and valid while at the start it was only implicit and something immediate [A]

See Paragraph 97 ff.—E

ABSTRACT RIGHT

73. When the right is something particular and therefore manifestly in contrast with its implicit universal and implicit it acquires the form of a law (). This law of the right is implicit or immediate—conclusion is wrong or a civil offence (b) right is made wrong by the right himself—fraud (c) the agent makes it a nullity and offence—crime. [A.]

A. Now man is Wrong

74. Taking possession (see Paragraph 54) and contract—both in themselves and in the particular consequences—are in the first instance different expressions and consequences of the will, pure and simple but in the will is the universal law through their recognition in the owners, grounds of title. Such grounds are external to one another and multiple and thus implicit in the consent persons may have them in relation to one and the same thing. Each person may look upon the thing as his property on the strength of the particular ground in which he bases his title. It is in this way that one man's rights clash with the others.

75. This clash which arises when a thing has been based on some single ground, and which comprises the sphere of collision as law entails the recognition of rightness as the universal and decisive fact so that it is common ground to the thing in dispute should belong to the party who has the right to it. The point is concerned only with the assumption of the thing under the property of one or other of the parties—a statement of a decisive judgement where in the predicate matter, only the particular is regarded.

76. The recognition of rightness by the parties is bound up with the opposed particular interests and point of view in opposition to this own rightness yet within this law itself (see the preceding Paragraph 5) the principle of rightness arises as something kept in view and demanded by the parties. But the first it rises only as an ought-to-be because the will is not yet present here as will so forced from the immediate will erect a depth particularly to have the universal will for its aim is not yet at this point characterized as a recognized attainment of such a sort that in face of the parties would have to renounce their particular interest and point of view [A.]

B. F. and

78. The principle of rightness, when distinguished from the right as particular and as de-

terminately existent is characterized as something demanded, as the essential thing yet in this situation it is still only something demanded and from that point of view something purely subjective and something essential—nothing merely having there. Thus we have found when the universal is set aside by the particular will and reduced to something only showing in the situation primarily in contract when the universal will is reduced to a will which is common only from the utilitarian point of view [A.]

78. In contract I acquire a property for the sake of its particular characteristics and at the same time my acquisition of it is governed by the inner universal which it possesses partly in respect of its value and partly because it has been the property of another. If the other likes a false discourse may be given to the thing I acquire so that the contract is not enough so far as it is an exchange voluntary on both sides of the thing in its immediate and unqualified but still the aspect of implicit universality is lacking. (Here we have an infinite judgement expressed positively as a tautology.)

79. Here again it is in the first instance only a demand that, in contrast with this acceptance of the thing imply a *status* thing and with the inner in essentials and arbitrariness of the will, by which as

needed [A.]

C. Coercion and Crime

80. In wrong property I place my will in an external thing and this implies that my will, just by being thus reflected in the object may be seized in and brought under compulsion. It may unly be forced in the thing unconditionally all or may be constrained to sacrifice something or to do some action as a condition of retaining one or other of its possessions or even bodily ones—it may be coerced. [A.]

81. As living thing man may be coerced, i.e. his body or anything else external about him may be brought under the power of others but the free will cannot be coerced at all (see Paragraph 5) except in so far as it fails to withdraw itself out of the external object in which it is held fast rather out of its idea of that object (see Paragraph 7) Only the will which allows itself to be coerced in any way be coerced.

82. Since is only in so far as the will has an external [1st edn. § 73] [3rd edn. § 73]

istence in something determinate that it is Idea or actually free and since the existent in which it has laid itself is freedom in being it follows that force or coercion is in its very conception directly self destructive because it is an expression of a will which annuls the expression or determinate existence of a will Hence force or coercion taken abstractly is wrong

93 That coercion is in its conception self destructive is exhibited in the world of reality by the fact that coercion is annulled by coercion coercion is thus shown to be not only right under certain conditions but necessary i.e. as a second act of coercion which is the annulment of one that has preceded

Breaking a contract by failing to carry out its stipulated terms or neglect of duty rightly owed to family or state or action in defiance of that duty is

Coercion by a schoolmaster or coercion of savages and brutes seems at first sight to be an initial act of coercion not a second following on one that has preceded But the merely natural will is implicitly a force against the implicit Idea of freedom which must be protected against such an uncivilized will

force against it or else there is only a state of nature a state of affairs where mere force prevails and against which the Idea establishes a right of Heroes [A]

94 Abstract right is a right to coerce because the wrong which transgresses it is an exercise of force against the existence of my freedom in an external thing The maintenance of this existent against the exercise of force therefore itself takes the form of an external act and an exercise of force annulling the force originally brought against it

To define abstract right or right in the strict sense at the very outset as a right in the name of which coercion may be used means to fasten on it in result which first comes on the scene by the indirect route of wrong [A]

95 The initial act of coercion as an exercise of force by the free agent an exercise of force which infringes the existence of freedom in its concrete sense infringes the right as right is crime—a negatively infinite judgement in its full sense whereby not only the particular (i.e. the subsumption under my will of a single thing—

Cf Hegel *Philosophy of Right* § 134 —F
See my [S] *Log.* [I ed.] I I p 99
[E g tr I I pp 77 8]

see Paragraph 85) is negated but also the universality and infinity in the predicate mine (i.e. my capacity for rights) Here the negation does not come about with the co-operation of my thinking (as it does in fraud—see Paragraph 83) but in defiance of it This is the sphere of criminal law

Right the infringement of which is crime has so far only those formations which we have seen in the preceding Paragraphs hence crime also to begin with has its more precise significance in relation to these specific rights But the substance of these forms is the universal which remains the same throughout its further development and formation and consequently its infringement crime also remains the same and accords with its concept Thus the specific characteristic of crime (in general) to be noticed in the next Paragraph is characteristic also of the particular more determinate content in e.g. perjury treason forgery coinage &c

96 It is only the will existent in an object that can suffer injury In becoming existent in some thing however the will enters the sphere of quantitative extension and qualitative characteristics and hence varies accordingly For this reason it makes a difference to the objective aspect of crime whether the will so objectified and its specific quality is injured throughout its entire extent and so in the infinity which is equivalent to its concept (as in murder slavery enforced religious observance &c) or whether it is injured only in a single part or in one of its qualitative characteristics and if so in which of these

The Stoic view that there is only one virtue and one vice the *telos* of Draco which prescribe death as a punishment for every offence the crude formal code of Honou which leaves a yin in as an offence against the infinity of personality all have this in common that they go no further than the abstract thought of the free individuality and fail to apprehend it in the concrete and determinate existent which it must possess as Idea

The distinction between robbery and theft is qualitative when I am robbed peacefully I violate is done to me and I misjudged in my heart's conscience I am guilty of the deed and so as the infinite

My qualitative characteristics of crime e.g. its danger to public safety hence this basis in more concrete circumstances although the abstract standard they also are often fastened on by the direct route as consequences of from the concept of the thing I notice the crime which takes in by itself is the more determinate its immediate character

Cf Hegel *Philosophy of Right* § 134 —F
See Hegel *Philosophy of Right* § 134 —F
→

right of inflicting capital punishment His reason was that it could not be presumed that the readiness of individuals to allow themselves to be executed was included in the social contract and that in fact the contrary would have to be assumed But the

property of members of the public as individuals On the contrary it is that his her entity which even lays claim to this very life and property and demands its sacrifice Further what is involved in the action of the criminal is not only the concept of crime the rational aspect present in crime as such whether the individual wills it or not the aspect

due of honour unless the concept and measure of his punishment are derived from his own act Still less does he receive it if he is treated either as a harmful animal who has to be made harmless or with a view to deterring a d reform g him

Moreover apart from these considerations the form in which the righting of wrong exists in the state namely punishment is not its only form nor is the state a pre-condition of the principle of righting wrong [A]

101 The annulment of the crime is retribution in so far as (a) retribution in *conception* is an injury of the injury and (b) since as existent a crime is something determinate in its scope both qualitatively and quantitatively its negation as *existent* is similarly determinate This identity rests on the concept but it is not an equality between the specific character of the crime and that of its negation on the contrary the two injuries are equal only in respect of their implicit character i.e. in respect of their value

Empirical science requires that the definition of a class concept (punishment in this case) shall be drawn from diversely present characteristics psychical experience This method would prove that the universal feeling of nature and individual about crime is and has been that it deserves punishment that as the criminal has done so should it be done to him (There is no understanding how these sciences have found the source of their class concepts ideas universally shared come on other occasions to take for granted positions contradictory of like facts of consciousness as styled universal)

But a point of great difficulty has been introduced to the idea of retribution by the category of equality though it is still true that the justice of specific types or amounts of punishment is a further matter subsequent to the substance of the thing itself Even

if to determine the later question of specific punishments we had to look round for principles other than those determining the universal character of punishment still the latter remains what it is The only thing is that the concept itself must in general contain the *fundamental* principle for determining the particular too But the determinate character given by the concept to punishment is just the necessary connexion between crime and punishment and

appears to the Understanding as equality The

only a demand and demand which the Understanding has to meet by continually increasing delimitation—a fact of the greatest importance—but which continues *ad infinitum* and which allows only of perpetually approximate satisfaction

If we overlook this nature of the finite and then into the bargain refuse to go beyond abstract and specific equality we are faced with the insuperable difficulty of fixing punishments (especially if psychology adduces in addition the strength of sensual impulses and consequently either the greater strength of the evil will or the greater weakness or the restricted freedom of the will as such—we may choose which we please) Furthermore it is easy enough from this point of view to exhibit the retributive character of punishment as an absurdity (theft for theft robbery for robbery an eye for an eye a tooth for a tooth—a deed then you can go on to suppose that the criminal has only one eye or no teeth) But the concept has nothing to do with this absurdity for which indeed the introduction of this specific equality is solely to blame Value as the inner equality of things which in their outward existence are specifically different from one another in every way is a category which has supplied already in connection with contracts (see Paragraph 77) a deal of connection with justice the subject of civil laws (see Remark I Paragraph 98) and by means of it our idea of a thing is raised both to its character and to its universality In crime as that which is characterized at bottom by the infliction of a deed of the deed the purely rational specific character involves the fundamental inequality remaining the fundamental regularity of the sensible thing together with the determinate criminal though not for the particular form which the payment of the desert may take It is only in respect of that for which there is still inequality between theft and robbery that the law and fines imprisonment and execution are in effect of the same value however different in respect of their universal

right of inflicting capital punishment. His reason was that it could not be presumed that the readiness of individuals to allow themselves to be executed was included in the social contract and that in fact the contrary would have to be assumed. But the state is not a contract at all (see [Remark to] Paragraph 75) nor is its fundamental essence the unconditional protection and guarantee of the life and property of members of the public as individuals. On the contrary it is that higher entity which even lays claim to this very life and property and demands its sacrifice. Further what is involved in the action of the criminal is not only the concept of crime the rational aspect present in crime as such whether the individual wills it or not the aspect which the state has to vindicate but also the abstract rationality of the individual's *voluntät*. Since that is so punishment is regarded as containing the criminal's right and hence by being punished he is honoured as a rational being. He does not receive this due of honour unless the concept and measure of his punishment are derived from his own act. Still less does he receive it if he is treated either as a harmful animal who has to be made harmless or with a view to deterring and reforming him.

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if to determine the later question of specific punishments we had to look round for principles other than those determining the universal character of punishment still the latter remains what it is. The only thing is that the concept itself must in general contain the *fundamental* principle for determining the particular too. But the determinate character given by the concept to punishment is just that necessary connexion between crime and punishment already mentioned crime as the will which is implicitly null *eo ipso* contains its negation in itself and this negation is manifested as punishment. It is this inner identity whose reflection in the external world appears to the Understanding as equality. The qualitative and quantitative characteristics of crime and its annulment fall then into the sphere of externality. In any case no absolute determinacy is possible in this sphere (compare Paragraph 49) in the field of the finite absolute determinacy remains only a demand a demand which the Understanding has to meet by continually increasing limitation—a fact of the greatest importance—but which continues *ad infinitum* and which allows only of perennially approximate satisfaction.

If we overlook this nature of the finite and then

chology adduces in addition the length of the sensual impulses and consequently either the greater strength of the evil will or the greater weakness or the restricted freedom of the will as such—we may choose which we please. Furthermore it is easy enough from this point of view to exhibit the retributive character of punishment as an absurdity (theft for theft robbery for robbery necessity for an eye a tooth for a tooth—and then you can go on to suppose that the criminal has only one eye or n

ner equality of things which in their outward existence are specifically different from one another in every way is a category which has appeared already in connexion with contracts (see Paragraph 77) and all in connexion with injury that is the subject of civil law (see Remark to Paragraph 98) and by means of it the idea of a thing is raised above its immediate character to its universalty. In crime as that which is characterized by its totality by the finite aspect of the law the purely external specific character agrees with its merely a dequity remains the final moral regulation of the essential thing to wit the desert of the criminal though not for the specific external form which the punishment of the desert is may take. It is only in respect of that form that there is an inequality between theft and robbery in the one hand and fines imprisonment &c. in the other. In respect of their value however in respect of their universal

All ed t ha P x ph 95 —L
See P rag ph —Eo

MORALITY

not be adequate to the concept.

109 This form of all willing primarily n of es
in accordance with its general character (a) the
opposition of subjectivity and objectivity and
(b) the actuality (see Paragraph 8) related to
this opposition. Now external and specific de-
terminacy in the concept of the will

and even a criterion in

and (b) establishing themselves identical I the
will which self-determining () its specific
determinacy is in the first place established in
the will itself by itself a specific particulariza-
tion as content which it gives to it. If this is
the first negation and the formal limitation
(G 402) of this negation is that of being ly
not determined thing subjectivity (β) As

11 (c) Since in carrying out my aims I retain
my subjectivity (see Paragraph 110) during
this process of objectifying them I simultaneously
only supersede the immediacy of this subject-
ivity as well as its character as this my individ-
ual objectivity. But the external subjectivity
which is thus identical with me is the will of
others (see Paragraph 73). The will's ground of
existence is now subjectivity (see Paragraph
106) and the will of others is that existence
which I give to my aim and which is at the
same time to me another. The achievement of
my aim therefore implies this identity of my
will with the will of others. It has a position
in the will of others

() in thing as

(see Paragraph 99)

(β) determinate in the concept (see Paragraph)

(γ) external objectivity

The objectivity which maintains itself in this b-

jectivity consists

() in the fact that the object's aim is mine so
that in it I maintain myself as this individual (see

these opposites and indistinct in the
distinction of opposition. Inherent in my aim
[the purpose willed]

But at the standpoint of formality where

more particular which exists
this sphere is character as more particular (see
in itself this individual
with

() The character by reference to its identity in subject

1 (b) Though the content does have in it
nothing partial whence one may be
determined still with the content itself will effected
in itself in its determinacy and thus of the
self-determining and universal will and therefore
() the content is universally characterized as
adequate in principle of the will pos-
sible in the objectivity of the concept
(β) in the objectivity will aware of it

13 The externalization of the subject's
moral will is a law. Act implies the determi-
nation has characteristics here indicated

() in its externality it must be known to me
as my action

(β) it must be representative of the concept a
nought [see Paragraph 13]

(γ) it must have essential bearing on the
will of others

externalization of the

SECOND PART

MORALITY

105 The standpoint of morality is the standpoint of the will which is infinite not merely in itself but for itself (see Paragraph 104) In contrast with the will's implicit being with its im-

and determined as subjective is at the start concept alone but it itself has determinate existence in order to exist as Idea The moral standpoint therefore takes shape as the right of the subject

its identity makes the person into the subject

106 It is as subjectivity that the concept has now been determined and since subjectivity is distinct from the concept as such i.e. from the implicit principle of the will and since furthermore it is at the same time the will of the subject as a single individual aware of himself (i.e. still has immediacy in him) it constitutes the determinate *existence* of the concept In this way a higher ground has been assigned to freedom the Idea's existential aspect or its moment of reality is now the subjectivity of the will Only in the will as subjective can freedom or the implicit principle of the will be actual

The second sphere Morality therefore throughout portrays the real aspect of the concept of freedom and the movement of this sphere is as follows the will which at the start is a mere only of its independence and which before it is mediated is implicitly identical with the universal will or the principle of the will is raised beyond its explicit difference from the universal will beyond this situation in which it is less dependent upon itself and is established as explicitly identical with the principle of the will This process according to the cultivation of the ground in which freedom now sets its subjectivity What happens is that subjectivity which is abstract at the start is distanced from the concept becomes like it and thereby by the Idea acquires its genuine realization The result is that the subjective will determines itself as objective too and so as truly concrete [A]

107 The self-determination of the will is at the same time a moment in the concept of the will and subjectivity is not merely its existential aspect but its own determinate character (see Paragraph 104) The will aware of its freedom

present to itself there as something subjective

The same process through which the moral attitude develops (see the Remark to the preceding Paragraph) has from this point of view the form of being the development of the right of the subjective

will's own universality [A]

108 The subjective will directly aware of itself and distinguished from the principle of the will (see Remark to Paragraph 106) is therefore abstract, restricted and formal But not merely is subjectivity itself formal in addition as the infinite self-determination of the will it constitutes the form of all willing In this its first appearance in the single will this form has not yet been established as identical with the concept of the will and therefore the moral point of view is that of relation of ought to be or demand And since the self-difference of subjectivity involves at the same time the character of being opposed to objectivity as external fact it follows that the point of view of consciousness comes on the scene here too (see Paragraph 8) The general point of view here is that of the will's self-difference, finitude and appearance

The moral idea is that related primarily by its universal already been opposed to the universal and is right directly characterized by its opposition to reason The point is rather that the general character of morality and immortality is that the subjectivity of the will [A]

See P. 2, p. 9 — F
See 1. 2, p. 5, 6 and 11 — Ed
See P. 2, p. 7 — L

See Paragraph 9 — E

I th t t bject ve ad
 t T J dg tuo a t rn l d d ltho ty t
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This right t nsght f this ka d tal th e m

Sub sect on II

INTENTION AND WELFARE

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 tr t th th frm f n rsalty th
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 Th des t j tify t by th t ti
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See R k to Paragraph 6—E

m m t of the p rt cularity of th age t is con
 tain da dr l ed in th action const t t s b
 ject e f e dom n its mo e c ete sense the
 ght f th subject to find his sati f ction n the
 t [A]

mand in its fundamental character is only prohibition (see Paragraph 38). In contract and wrong the subject has

is on the will of the other is as a matter of rights something negative i.e. one party retains his property (the value of it) and allows the other to retain his. On the other hand crime in its aspect as issuing from the subjective will and the question of the mode of its existence in that will come before us now for consideration for the first time.

only some of the moments of a moral action proper and contains them only incidentally. The aspect of an action in virtue of which it is properly moral is therefore distinct from its aspect as legal.

114 The right of the moral will involves three aspects

(a) The abstract or formal right of action: the right that the content of the action as carried out in immediate existence shall be in principle

inner content (a) as I am aware of it in its general character: my awareness of this general character constitutes the worth of the action and the reason I think good to do it—in short my *Intention*. (β) Its content is my special aim: the aim of my particular merely individual existence i.e. *Welfare*.

(c) This content (as something which is inward and which yet at the same time is raised to its universality as to absolute objectivity) is the absolute end of the will: the *Good*—with the

concreteness has in it an indeterminate multiplicity of factors. Any and every single element which appears as the condition, ground or cause of one such factor and so has contributed its share to the event in question may be looked upon as responsible for the event or at least as sharing the responsibility for it. Hence in the case of a complex event (e.g. the French Revolution) it is open to the abstract Understanding to choose which of an endless number of factors it will maintain to be responsible for it. [A]

116 It is of course not my own doing if damage is caused to others by things whose owner I am and which as external objects stand and are effective in manifold connexions with other things (as may also be the case with my self as a bodily mechanism or as a living thing). This damage however is to some extent chargeable to me because the things that cause it are in principle mine although it is true that they are subject to my control, vigilance &c. only to an extent varying with their special character.

117 The freely acting will in directing its aim on the state of affairs confronting it has an idea of the attendant circumstances. But because the will is finite since this state of affairs is presupposed the objective phenomenon is contingent so far as the will is concerned and may contain something other than what the will's idea of it contains. The will's right however is to recognize as its action and to accept responsibility for only those presuppositions of the deed of which it was conscious in its aim and those aspects of the deed which were contained in its purpose. The deed can be imputed to me only if my will is responsible for it—this is the right to know. [A]

118 Further action is translated into external fact and external fact has connexions in the field of external necessity through which it develops itself in all directions. Hence action has a multitude of consequences. The consequences are the outward form whose inner soul is the aim of the action and thus they are the consequences of the action: they belong to the action. At the same time however the action as the aim posited in the external world has become the prey of external forces which attach to it something totally different from what it is explicitly and drive it on into all near and distant consequences. Thus the will has the right to repudiate the imputation of all consequences except the first since it alone was purposed.

To determine which results are accidental and which are imputable because the necessity implicit in the finite causes to determine it.

Sub section I

PURPOSE AND RESPONSIBILITY

115 The finitude of the subjective will in the immediacy of acting consists directly in this that its action presupposes an external object with a complex environment. The deed sets up

cate mine belongs to the state of affairs so altered

An event as a situation which has been produced is a concrete external actuality which because of its

ever as an external necessity as related to the
things to one another things which as self-sustaining
but are connected in indifference to the end
externally. The maxim "I neglect consequences of
and the other judgments by their consequences"

self development in the natural world with
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part of the crime.

The self-consciousness of the soul (the that of the
position of the soul in Greek tragedy) is not driven
— by the effects

objectivity of a thing is the thing itself as
even the self as known and willed by the sub-
ject as the other

This might be said of this kind of thing, the com-
— mon habit of the thing

Sub-section II

INTENTION AND WELFARE

9. An action is an external action com-
posed of many parts which may be considered
as divided into units of different kinds. The
unit may be taken as having its end in the
first instance only of these units. The truth
of the thing however is the universal and
what explicitly gives it its peculiar character
is the universal of the unit of the action.

1. The universal quality of the action is the
manifest content of the action as such, reduced
to the simple form of universality. But the sub-
ject, an entity reflecting himself and of pa-
— h. moral nature of

outside of the action, the intention.

Every logically abstract (intention) implies ab-
stract either the form of universality or the
fact of particular aspect of the object thing.
The idea is justified by the intention
behind it in the last of the things
the aspects which is alleged to be the essence of

See Remarks Paragraph 6—En.

subject freedom in the moral sense the
right of the subject to find his satisfaction in the
action. [A.]

mand in its fundamental character is only prohibition (see Paragraph 38). In contract and wrong there is the beginning of a bearing on the will of others.

On the other hand crime in its aspect as issuing from the subjective will and the question of the mode of its existence in that will come before us now for consideration for the first time.

The content of an act on at law (*actio*) as something determined by legal enactment is not imputable to me. Consequently such an act on contains

therefore distinct from its aspect as legal

114 The right of the moral will involves three aspects

(a) The abstract or formal right of action: the right that the content of the action as carried out in immediate existence shall be in principle mine; that thus the action shall be the *Purpose* of the subjective will.

(b) The particular aspect of the action is its inner content (a) as I am aware of it in its general character: my awareness of this general character constitutes the worth of the action and the reason I think good to do it—in short my *Intention*. (β) Its content is my special aim: the aim of my particular, merely individual existence, i.e. *Welfare*.

(c) This content (as something which is inward and which yet at the same time is raised to its universality as to absolute objectivity) is the absolute end of the will: the *Good*—with the opposition in the sphere of reflection of *subjective* universality which is now wickedness and now conscience. [A]

Sub section I

PURPOSE AND RESPONSIBILITY

115 The finitude of the subjective will in the immediacy of acting consists directly in this: that its action *presupposes* an external object with a complex environment. The deed sets up an alteration in this state of affairs confronting the will, and my will has responsibility in general for my deed in so far as the abstract predicate mine belongs to the state of affairs so altered.

An external situation which has been produced is a concrete external actuality which because of its

concreteness has in it an indeterminable multiplicity of factors. Any and every single element which appears as the condition, ground or cause of one such factor, and so has contributed its share to the event in question, may be looked upon as responsible for the event, or at least as sharing the responsibility.

it [A]

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118 Further action is translated into external fact, and external fact has connexions in the field of external necessity through which it develops itself in all directions. Hence action has a multitude of consequences. These consequences are the outward form whose inner soul is the aim of the action, and thus they are the consequences of the action; they belong to the action. At the same time, however, the action as the aim posited in the external world has become the prey of external forces which attach to it something totally different from what it is explicitly and drive it on into alien and distant consequences. Thus the will has the right to repudiate the imputation of all consequences except the first, since it alone was purposed.

To determine which results are accidental and which are imputable because they necessarily follow from the finite measures into determinate

MORALITY

particular to tent—welfare is effected into it
d o stands related to the uni

whole is personal existence or life. In extreme
danger and in conflict with the rightful property
of someone else the self may claim (as a right
not a mercy) a right of distress because in such
a situation there is on the one hand an infinite
injury to a man's existence and the consequent
loss of rights altogether and on the other hand
only an injury to a single restricted embodiment
of freedom and this implies a recognition of both
of rights such and also of the injured man's
capacity for rights because the injury affects
only the property of his

these ends of particularity as
from the universal may be in conformity with
it, but they all may not

16 My particularity however like that of
others is only a right at all insofar as I am a
free entity. The restriction may not make claims
for itself in contradiction to this but it is
based and a intent to economy of welfare or
that of others (it is particularly in this latter
terms that human intentions are called moral)
cannot justify neglect of the wrong

The right of distress is the basis for the fact that
each who is bound is allowed to retain his
short
in
his
in

occasionally

18 This distress reveals the finitude and
the effective contingency of both right and wel-
fare for right as the abstract embodiment of
freedom without embodying the particular per-
sonal welfare as the phenomenon of the particu-
lar

the dramatic process but it is as
being resuscitated in the extravagant form and
man thus in the heart of the form of par-
ticularity as he himself is in the heart of
right and left cell. The essence is that
crisis of the right and left of both sides

in the right of the right
I did tell him we intend to be paid
the point of view from which the right of welfare
being treated by the law of the right of welfare as
right and left of the right of welfare as
the subject. The so-called good of the
welfare of the right of the right of the
concrete is the right of the right of the
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7 The particularity of the in essence of the
natural will, taken in their entirety a single
See the Preface to the Preface —L

possibilities
06) determined its embodiment in the particu-
lar will subject to its particularity as
complicated while it is itself the embod-
iment of freedom (see Paragraph 17) while a
the infinite relation of the will to itself it is
implicitly the unity of elements of freedom.
The two moments are present in right and sub-
ject to the integrated and attaining the truth
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man in the right of the right of the right of the
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universal and the right of the right of the right of the
the right of the right of the right of the right
termining its content

Sub-ject on III

GOOD AND CONSCIENCE

129 The good is the Idea as the unity of the
concept of the will with the particular will. In
this unity the right of the right of the right of the
right of the right of the right of the right of the
superficial though at the same time they
still contained detained within the right of the
essence. The good is thus the realized the
absolute and demand of the will. [A]

1 It is on the strength of this particular aspect that the action has subjective worth or interest for me. In contrast with this *end*—the content of the intention—the direct character of the action in its further content is reduced to a *means*. In so far as such an end is something finite it may in its turn be reduced to a means to some further intention and so on *ad infinitum*.

13 For the content of these ends nothing is available at this point except (a) pure activity itself i.e. the activity present owing to the fact that the subject puts himself into whatever he is to look upon and promote as his end. Men are willing to be *active* in pursuit of what interests them or should interest them as something which is their own (β). A more determinate content however the still abstract and formal freedom of subjectivity possesses only in its natural subjective embodiment i.e. in needs inclinations passions opinions fancies &c. The satisfaction of these is welfare or happiness both in general and in its particular species—the ends of the whole sphere of finitude.

Here—the standpoint of relation (see Paragraph 108) when the subject is characterized by his self-difference and so counts as a particular—is the place where the content of the natural will (see Paragraph 11) comes on the scene. But the will here is not as it is in its immediacy on the contrary this content now belongs to a will reflected into itself and so is elevated to become a universal end the end of welfare or happiness this happens at the level of the thing which does not yet apprehend the will in its freedom but reflect on its content as on one natural and given—the level for example of the time of Croesus and Solon. [A]

124 Since the subjective satisfaction of the individual himself (including the recognition which he receives by way of honour and fame) is also part and parcel of the achievement of ends of absolute worth it follows that the demand that such an end alone shall appear as willed and attained like the view that in willing objective and subjective ends are mutually exclusive is an empty dogmatism of the abstract Understanding. And this dogmatism is more than empty it is pernicious if it passes into the assertion that because subjective satisfaction is present as it always is when any task is brought to completion it is what the agent intended in essence to secure and that the objective end was in his eyes only a means to that—What the subject is is the series of his actions

If these are a series of worthless productions then the subjectivity of his will is just as worthless. But if the series of his deeds is of a substantive nature then the same is true also of the individual's inner will.

The right of the subject's particularity his right to be satisfied or in other word the right of subjective freedom is the pivot and centre of the difference between antiquity and modern times. This right in its infinity is given a priori in Christianity and it has become the universal effective principle of a new form of civilization. Amongst the primary shapes which this right assumes are love romanticism the quest for the eternal salvation of the individual & next come moral conviction and conscience and finally the other forms some of which come into prominence in what follows as the principle of civil society and as means in the constitution of the state while others appear in the course of history particularly the history of art science and philosophy.

No this principle of particularity is, to be the one moment of the antithesis and in the first place at least it is just as much identical with the universal as distinct from it. Abstract reflection however fixes this moment in its distinction from and opposition to the universal and so produces a reaction of morality as nothing but a better unending struggle against self-satisfaction as the command 'Do without abhorrence what duty enjoins'.

It is just this type of ratiocination which adulterates that familiar psychological view of history which understands how to baffle and disparage all great deeds and great men by transforming into the main intention and operative motive of action the inclinations and passions which like use soured their satisfaction from the achievement of something substantial the fame and honour &c. co-equal to their actions in word their particular aspect the aspect which it has decreed in advance to be the thing in itself pernicious. Such ratiocination assures us that 'his great actions and the sincerity which has sustained them are things which have produced great results in the world although their consequences for the individual age together with our and fame still what belongs to the individual is not the greatest itself but what has accrued to him from it through purely particular and transient interests.

subjective side of great men since it itself stands on purely subjective ground and consequently it is for those who it is substantive this emptiness of its own making. This is the evil of those intellectualists for whom there are no heroes not because there are no heroes but because these psychologists are only valets. [A]

125 The subjective element of the will with its

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duty is thus b t act a d uni ersal n char let
 n b uld be do ef duty's sake [A]

ll of thers (see P r r r ph 9) [A]

135 The pe fic d t es how r a e not
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See P r r r ph 3 —E

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[A]

Cl Ka t C qu f P tical R on A lytic.
 Ch p i ec ions -o—h.
 [t edn.] pp 53 ff [E t pp 6 5 ff] Cl Enc
 [t edn.] § 4 R [s d ed 33 s ff]

130 In the first place

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tially as universal in principle i.e. as according with freedom Welfare without right is not a good Similarly right without welfare is not the good *fiat justitia* should not be followed by *percat mundus* Consequently since the good must of necessity be actualized through the par-

fare If either of these moments becomes distinguished from the good it has validity only in so far as it accords with the good and is subordinated to it

11 For the subjective will the good and the good alone is the essential and the subjective will has value and dignity only in so far as its insight and intention accord with the good Inasmuch as the good is at this point still only this abstract Idea of good the subjective will has not yet been caught up into it and established as according with it Consequently it stands in a

pletely while the good on its side has in the subjective will its only means of stepping into actuality [A]

132 The right of the subjective will is that whatever it is to recognize as valid shall be seen by it as good and that an action as its aim entering upon external objectivity shall be im-

ity

The good is in principle the essence of the will in its substantiality and universality i.e. of the will in its truth and therefore it is simply and solely the thing and by means of thinking Hence relations such as man can know the truth but has to do only with phenomena of this kind injures the good will are dogmatic mind not only of intellectual but also of all ethical worth and dignity

The right of giving cognition only to what my insight sees as rational is the highest right of the subject although its subjectivity characterizes it remains a formal right against the right which reason *qua* the object proposes so that the subject remains firmly established

On account of its formal character in right is capable equally of being true and of being mere opinion and error The individual's acquisition of this right of insight is on the principles of the sphere which is still moral only part and parcel of his particular

subjective education I may demand from myself

ie. of an action as good permitted or forbidden and so about its imputability in respect of this character this in no way detracts from the right of objectivity

This right of insight to the good is distinct from the right of insight in respect of action as such (see

into what is recognized as right and it is restricted to its elementary meaning i.e. to knowledge in the sense of acquaintance with what is legal and to that extent obligatory By means of the publicity of the laws and the universality of manners the state removes from the right of insight its formal aspect and the contingency which it still retains of the subject at the level of morality The subject's right

ality &c. or their degree of irresponsibility But to turn momentarily blindness the good of passion in temptation or in a word what is called the strength of sensual impulse (excludes impulses which are the basis of the right of distress—see Paragraph 127) into *essences* when the imputation specifies character and culpability of a crime are in question and to look upon such circumstances as if they took away the criminal's guilt again means (compare Paragraph 100 and the Remark to Paragraph 120) still to treat the criminal in accordance with the right and honor due to him as a man for the nature of man consists precisely in the fact that he is essentially something universal not a being whose knowledge is an abstractly momentary and particular affair

Just as the incendiary really is on fire is not the so-called quality of wooden stuff which

See Paragraph 11—Footnote
See Remark 11—Footnote
Alled to read 9—Footnote

137 True conscience is the disposition to will what is absolutely good. It therefore has fixed principles and it is aware of these as its explicit

will which as *this* will has no special content of its own. But the objective system of these principles and duties and the union of subjective knowing with this system is not present until we come to the standpoint of ethical life. Here at the abstract standpoint of morality, conscience lacks this objective content and so its explicit character is that of infinite abstract self-certainty which at the same time is for this very reason the self-certainty of *this* subject.

Conscience is the expression of the absolute title of subjective self-consciousness to know in itself and from within itself what is right and obligatory to give recognition only to what it thus knows as good and at the same time to maintain that whatever in this way it knows as right is in truth right and obligatory. Conscience as this unity of subjective knowing with what is absolute is a sanctuary which it would be sacrilegious to violate. But whether the conscience of a specific individual corresponds with this Idea of conscience or whether what it takes or declares to be good is actually so is ascertainable only from the content of the good it seeks to realize. What is right and obligatory is the absolutely rational element in the will's volitions and the effect it is not in essence the *particular* property of an individual and its form is not that of feeling or any other private (i.e. sensuous) type of knowing but essentially that of universals determined by thought, i.e. the form of laws and principle. Conscience is therefore subject to the judgement of its truthfulness. And when it appeals only to itself for a decision it is directly at variance with what it wishes to be, namely the rule for a mode of conduct which is rational, absolutely valid and universal. For this reason the state cannot grant recognition to conscience in its private form as subjective knowledge any more than science can grant validity to subjective opinion or religion to conscience. Its elements are not different but they may become so and it is the determining element the subjectivity of will and knowledge which can enter its life from the outside. The title of conscience establishes its own dependence and reduce that content to a form of law. The ambiguity in connection with conscience lies therefore in this: it is pre-occupied to mean the *diversity* of subjective knowledge and will with the true

other and to obviate the possible misunderstanding that here and here it is only formal conscience that is under consideration the argument is about true conscience. The latter is part of the ethical disposition in which comes before us for the first time in the following section.—The religious conscience however does not belong to this sphere at all [A]

138 This subjectivity *qua* abstract self-determination and pure certainty of oneself alone as readily evaporates into itself the whole determinate character of right duty and existence as it remains both the power to judge to determine from within itself alone what is good in respect of any content and also the power to which the good at first only an ideal and an ought to be owes its actuality.

The self-consciousness which has attained this absolute reflect on into itself knows itself in this reflection to be the kind of consciousness which is and should be beyond the reach of every existent and given specific determination. As one of the commoner features of history (e.g. in Socrates, the Stoics and others) the tendency to look deeper into oneself and to know and determine from within oneself what is right and good appears in ages when what is recognized as right and good in contemporary man cannot satisfy the will of better men. When the existing world of freedom becomes fatter to the will of better men that will itself find itself in the duties there recognized and must try to find in the ideal world of the ideal life all the harm which actuality has lost. Once self-consciousness has grasped and secured its formal right in the universe everything depends on the character of the content which it gives to itself [A]

139 Once self-consciousness has reduced all other external duties to emptiness and itself to the sheer inwardness of the will it has become the potentiality of either making the absolutely universal its principle or equally well of elevating above the universal the self-will of private particularity taking that as its principle and realizing it through its actions i.e. it has become potentially evil.

The essence of conscience is only form. Its subjectivity is its dependence on the essence of spirit into its independent self-certainty with its dependence of knowledge and decision both moral and ethical have their common root.

The one freedom is to be found in the matter of freedom (i.e. the peculiar respect of freedom) the mystery whereby freedom of

MORALITY

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 is really th essential ? This bjecti q estu
 b wever here t f pla rath t is the sub-
 jecti consc usnessal b eveda consti tes
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 good mean th sam thing is j tas m chan
 bstracts as th ther Good is that which is essen-
 tial respect f th ill d th esse tial i this
 respect b uld be p ecisely this, that my ctuo be
 characterized as good in my eyes. B t th subcomp-
 ti und th good fan tent pl ases is th
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The subjective right of self consciousness to know
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 tivity wh ch has the last word This means that
 cap ice and self will are made the arbiters of good
 and evil and the result is that ethics as well as r h
 gous feeling is undermined But the fact that it is
 private subject vity to wh ch the decision falls is
 one which Probabil sm does not openly avo as its
 p inciple on the contrary as has already been

u u u u u the stag s of subject vism the next in as
 cending o der is the view that the goodness of the
 ill consists in its will g the good this u ll g of
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 tent but good in the abstract d termines nothing
 and hence it devolves on part cula subjectivity to
 give this content its character and constituents Just
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 learned *Révé e d Pè e m y* ha e the subsumption
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 in n action as a concrete whole and th thers m y
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 gr ph 1 4) Thus there aris contradiction be
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Intended but this in fact mu t always be the case if
 it is held that good in the abstract is the subject s
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So H gel s first d t All oth r d t l ns d 222
 St tt ds 229 —E

ppo t ef k w l dg th bea t d e th s asm
 th t p pl t eth cal ct

with ways that. Really my being concerned as
something supremely trivial if I cannot know the
truth if then this matter is difficult enough for me
think, and all that is left to my thinking is that it
empty good, the abstract to which the Udr
stands red with good.

One the point. If I was with this principle
justified by ethics that logic requires
me in dealing with the world that is against my
action, I admit that they are right—the
so far I am rather sure that with faith I
convict that my ethics is rational. On challenge,

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explicitly present already in its prehistory, its, namely
I subjectively know wrong itself as the arbitrary and dog

terminal

(f) Finally the supreme form in which this be-

price may seriously mean that it is the
best possible and I may rely upon myself at the time.

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with substantiality of the Idea

Cf Plato *The Republic* 337—E

M. Heidegger in *Lessons* Solge dopt dth

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vi, pp 9 ff.) I find somewhat obscure and

1

sci-entific progress is not
dwh th h k g m d mp h d th

will the rationality of mind in its self actualizing process is the laws of ethics. Asserting as such philosophy does that the knowledge of the true is

of judging and estimating an action but on this principle it is only the intention and conviction of the agent his faith by which he ought to be judged

philosophy has thus sunk appears doubtless at a first glance to be only an affair of supreme indifference

The result of the dissemination of the view that subjective conviction and it alone decides the ethical character of an action is that the charge of hypocrisy once so frequent is now rarely heard. You can only qualify wickedness as hypocrisy on the assumption that certain actions are inherently and actually misdeeds, vices and crimes and that the defaulter is necessarily aware of them as such because he is aware of and recognizes the principles and outward acts of piety and honesty even in the pretence to which he misapplies them. In other words it was generally assumed as regards evil that it is a duty to know the good and to be aware of its distinction from evil. In any case however it was an absolute injunction which forbade the commission of vicious and criminal actions and which insisted on such actions being imputed to the agent so

This principle under which conviction is expressly made something subjective cannot but thrust upon us the thought of possible error with the further implied presupposition of an absolute law. But the law is no agent it is only the actual human being who acts. And on the aforesaid principle the only question in estimating the worth of human actions is how far he has taken up the law into his conviction. But if on this theory it is not actions which are to be judged but measured generally by that law it is impossible to see what the law is for and what end it is to serve. Such a law is degraded to a mere external letter in fact to an empty word if it is only my conviction which makes it a law and invests it with obligatory force.

Such a law may claim its authority from God or the state. It may even have behind it the authority of tens of centuries during which it was the bond which gave men with all their deeds and destiny

immorality at all for whatever a man does he can

absolutely vicious or criminal and instead of the above mentioned frank and free hardened and unperturbed sinner we have the man who is conscious of being fully justified by intention and conviction. My good intent on in my action and my conviction of its goodness make it good. We speak

science and bad sophistry can never altogether — admit with a noble illogicality that error is possible still by describing crime and evil generally as only an error we minimize the fault. To err is human—where has not been mistaken on one point or another whether he had fresh or pickled cabbage for dinner yesterday and but innumerable other things of more or less importance? But the difference between importance and triviality vanishes if everything turns on the subjectivity of conviction and dependence on it. The said noble illogicality which admits the possibility of error is inevitable in the nature of the case but when it comes round to say that a wrong conviction is only an error it only falls into a further illogicality the illogicality of dishonesty. At one moment conviction is made the basis of ethics and of man's supremacy and is thus pronounced the supreme and the sacrosanct to another all we have to do with is error and my conviction is something trivial and casual in fact something strictly external which may turn

This type of subjectivism not merely substitutes a void for the whole content of ethics right duties

with the subjective will an identity which therefore is concrete and the truth of them both is Ethical Life

The details of such a transition of the concept are

absolute

In my *Phenomenology of Mind* I have shown how this absolute self complacency fails to rest in a solitary worship of itself but builds up a sort of

it but is above all the refreshment derived from the glory of this self knowledge and self expression from the glory of fostering and cherishing this experience I have shown also how what has been called a beautiful soul—that still nobler type of subjectivism which empties the objective of all content and

the entire section (C) Conscience in the *Phenomenology* especially the part dealing with the transition to a higher stage—a stage however there different in character [A]

Transition from Morality to Ethical Life

141 For the good as the substantial universal of freedom but as something still abstract there are therefore required determinate characteristics of some sort and the principle for determining them though a principle identical with the good itself For conscience similarly as the purely abstract principle of determination it is required that its decisions shall be universal and objective If good and conscience are each kept abstract and thereby elevated to independent totalities then both become the indeterminate which ought to be determined—But the integration of these two relative totalities into an absolute identity has already been implicitly achieved in that this very subjectivity of pure self certainty aware in its vacuity of its gradual evaporation is identical with the abstract universality of the good The identity of the good

ought to be [but is not] and the equally abstract subjectivity which only *ought* to be good [but is not]) to have its opposite implicit within it the good its actuality and subjectivity (the moment in which ethical life is actual) the good but since they are one-sided they are not yet posited in accordance with their implicit nature They become so posited in their negation That is to say in their one-sidedness when each is bent on declining to have in it what is in it implicitly—when the good is without subjectivity and a determinate character and the determining principle subjectivity is with it what is implicit within it—and when both build themselves into independent totalities they are annulled and thereby reduced to moments to moments of the concept which becomes manifest in their unity and having acquired reality precisely through this positing of its moments is now present as Idea—as the concept which has matured its determinations to reality and at the same time is present in their identity as their implicit essence

The embodiment of freedom which was (1) first of all immediate as right is (2) characterized in the reflection of self-consciousness as good (3) The third stage originating here in its transition from (2) to ethical life as the truth of good and subjectivity is therefore the truth both of subjectivity and right Ethical life is a subjective disposition but one imbued with what is inherently right The fact that this Idea is the truth of the concept of freedom is something which in philosophy must be proved not presupposed not deduced from itself or elsewhere This demonstration is contained only in the fact that right and the moral self-consciousness both display in themselves their regression to this Idea as their outcome Those who hope to be able to dispense with proof and demonstration in philosophy show thereby that they are still far from knowing the first thing about what philosophy is Other topics argue they may but this philosophy they have no right to join in the argument if they wish to argue without the concept [A]

[std] pp 65 ff [Egtr pp 663 ff]

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graph 8) [A.]

51 But when ndu duals es mply ide tifi d

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Cf P scal P / 93—E

147 The right of indi duals t be subject ely
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[A.]

156 The ethical s b tance as co ts g inde
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cept i the ctual mind of a family and a na
ti n [A.]

157 The o cept of this Ide has being only as
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from some particular purposes interests and considerations from fear or hope or from historical conditions But adequate knowledge of this identity depends on the living in terms of the concept

148 As substantive in character these laws and institutions are duties binding on the will of the individual because as subjective as inherently undetermined or determined as particular he distinguishes himself from them and hence stands related to them as to the substance of his own being

The doctrine of duties in moral philosophy (I mean the objective doctrine not that which is supposed to be contained in the empty principle of moral subjectivity because that principle determines nothing—see Paragraph 134) is therefore comprised in the systematic development of the circle of ethical necessity which follows in this Third Part The difference between the position in this book and the form of a doctrine of duties lies solely in the fact that in what follows the specific types of ethical life turn up as necessary relationships the exposition ends without being supplemented in each case by the addition that therefore men have a duty to conform to this institution

A doctrine of duties which is other than a philosophical science takes its material from existing relationships and shows its connexion with the moralist's personal notions or with principles and thoughts purposes impulses feelings &c that are forthcoming everywhere and as reasons for accepting each duty in turn it may tack on its further consequences in the bearing on the other ethical relationships or on welfare and opinion But an immanent and logical doctrine of duties can be nothing except the serial expression of the relationships which are necessitated by the Idea of freedom and are therefore actual in their entirety to wit in the state

149 The bond of duty can appear as a restriction only on indeterminate subjectivity or abstract freedom and on the impulses either of the natural will or of the moral will which determines its indeterminate good arbitrarily The truth is however that in duty the individual finds his liberation first liberation from dependence on mere natural impulse and from the depression which as a particular subject he cannot escape in his moral reflections on what ought to be and what might be secondly liberation from the indeterminate subjectivity which never reaching reality or the objective determinacy of action remains self enclosed and devoid of actuality In duty the individual acquires his substantive freedom [A]

150 Virtue is the ethical order reflected in the individual character so far as that character is determined by its natural endowment When virtue displays itself solely as the individual's simple conformity with the duties of the station to which he belongs it is rectitude

In an ethical community it is easy to say what man must do what are the duties he has to fulfil in order to be virtuous he has simply to follow the well known and explicit rules of his own situation Rectitude is the general character which may be demanded of him by law or custom But from the standpoint of morality rectitude often seems to be something comparatively inferior something beyond which still higher demands must be made on oneself and others because the craving to be something special is not satisfied with what is absolute and universal it finds consciousness of peculiarity only in what is exceptional

The various facets of rectitude may equally well be called virtues since they are also properties of the individual although not specially of him in contrast with others Talk about virtue however readily borders on empty rhetoric because it is only about something abstract and indeterminate and further more argumentative and pository talk of the sort is addressed to the individual as to a being capricious and subjective inclined to an existing ethical calder in which a complete system of ethical relations has been developed and actualized virtue in the strict sense of the word is place and actually appears only in exceptional circumstances one obligation clashes with another The clash however must be a genuine because moral reflection cannot nufact clashes of all sorts to suit its purpose and give itself a consciousness of being something special and having to make sacrifices It is for this reason that the phenomenon of virtue proper is commoner when society and community are uncivilized since in these circumstances ethical conditions admit actualization more as matter of private choice or the natural genius of an exception Individual For instance it was especially to Hercules that the ancients ascribed virtue In the states of antiquity ethical life did not grow into this free system of an objective order self substantially developed and consequently it was by the person himself given and dualized that this defect had to be made good It follows that if a doctrine of virtues is not a mere doctrine of duties and if therefore it embraces the particular facet which actuates the fact grounded in natural endowment it will be a natural history of man

Since virtues are ethical principles applied to the particular and since in this their subjective aspect they are something determinate there turns up how to determine them the qualitative principle of more or less The result is that consideration of them introduces the corresponding deficiencies, as in Aristotle who defined each particular virtue

quality as self-subsistent units. The identification of personalities, whereby the family becomes one person and its members become its organs is (though substance is in essence the relation of incidents to itself) is the ethical mind. Taken by itself and stripped of the manifold externalities which it is possessed with it is embodiment in these individuals and thus rests in the phenomenal realm interests limited in time and numerous in ways this mind emerges in shape of representative thinking and has been revered as *Pneuma*, &c. and in general it is in this mind that the religious character of marriage

is the reciprocity of feeling and prayer

164 Mer agreement to the stipulated terms of contract in itself involves the genuine transfer of the property in question (see Paragraph 9) Symbolically the solemn declaration by the parties of their consent to enter the ethical bond of marriage and its corresponding recognition and confirmation by their family and community constitutes the formal impetus and actuality of marriage. The knot is tied and made ethical only in the ceremony whereby through the use of genuine language (the most mental embodiment of mind—see Paragraph 3) the substantial thing in the marriage is brought implicitly into being. As a result, the ceremonial moment the proper physical call is put in its ethical place as something only once sequential and accidental, belonging to the external embodiment of the ethical bond, which indeed can exist exclusively in reciprocal love and support.

If with view to framing criticizing legal enactments the question is asked what should be regarded as the chief end of marriage the question may be taken to mean which angle of view of marriage is its chief end? It is regarded as the most essential part of life by itself however makes up the range of its implicit and explicit content, its ethical character and therefore its effects may be lacking in an existing marriage without detracting from the essence of marriage itself. It is in the actual conclusion of marriage in the wedding that the essence of the tie is expressed and established beyond doubt as something ethical.

See Enc. { edn. } § 3 { rd edn. § 5 }
The fact that the church comes into the connexion is
for the purpose but not one for disuse on here. See too
p. 8

removes the marriage bond from the province of this caprice surrenders the substantial and swears

the understanding which cannot apprehend the speculative character of the substantial character less, in this speculative character the reciprocal both the substantial of heart and the legislative of Christian peoples. [A.]

165 The difference in the physical characteristics of the two sexes has a rational basis as a differential acquisition of intellectual and ethical significance. This significance is determined by the difference in which the substantial is as the concept, internally sunders itself in order that its actuality may become a creaturely consequent upon this difference.

65 Thus the existence of mind in its self-determination

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Sub section I

THE FAMILY

158 The family as the immediate substantiality of mind is specifically characterized by love which is mind's feeling of its own unity. Hence in a family one's frame of mind is to have self-consciousness of one's individuality within this unity as the absolute essence of oneself with the result that one is in it not as an independent person but as a member. [A]

159 The right which the individual enjoys on the strength of the family unity and which is in the first place simply the individual's life within this unity takes on the form of right (as the abstract moment of determinate individuality) only when the family begins to dissolve. At that point those who should be family members both in their inclination and in actuality begin to be self-subsistent persons and whereas they formerly constituted one specific moment within the whole they now receive their share separately and so only in an external fashion by way of money food educational expenses and the like. [A]

160 The family is completed in these three phases

(a) *Marriage* the form assumed by the concept of the family in its immediate phase

(b) *Family Property and Capital* (the external embodiment of the concept) and attention to these

(c) *The Education of Children and the Dissolution of the Family*

A Marriage

161 Marriage as the immediate type of ethical

But secondly in self-consciousness the natural sexual union—a union purely inward or implicit and for that very reason *existent* as purely external—is changed into a union on the level of mind into self-conscious love. [A]

162 On the subjective side marriage may have a more obvious source in the particular inclination of the two persons who are entering upon

themselves one person to renounce their natural and individual personality to this unity of one with the other. From this point of view their union is a self-restriction but in fact it is their liberation because in it they attain their substantive self-consciousness.

Our objectively appointed end and so our ethical duty is to enter the married state. The external origin of any particular marriage is in the nature of the case contingent and it depends principally on the extent to which reflective thought has been developed. At one extreme the first step is that the marriage is arranged by the contrivance of benevolent parents; the appointed end of the parties is a union of mutual love and their inclination to marry arises from the fact that each grows acquainted with the other first in the first as a destined partner. At the other extreme it is the inclination of the parties which comes first appearing in them as these two infinitely particularized individuals. The more ethical view to matrimony may be taken to be the former either in any way at all; hereby the decision to marry comes first and the inclination to do so follows so that the actual wedding both decays and inclination coalesce. In the latter extreme it is the uniqueness of the infinitely particularized which makes good its claims in accordance with the subjective principle of the modern world (see Remark to Paragraph 124).

But the works of modern amatism and other in which the love of the senses is the main interest are pervaded by a chill despite the heat of passion they portray for they associate the passion with accident throughout and represent the entire dramatic interest as if it rested solely on the characters as these individual what rests on them may indeed be of finite importance to them but is of none whatever in its life. [A]

163 The ethical aspect of marriage consists in the parties' consciousness of this unity as their substantive aim and so in their love, trust and common sharing of their entire existence as individuals. When the parties are in this frame of mind and their union is actual their physical passion sinks to the level of a physical moment destined to vanish in its very satisfaction. On the other hand the spiritual bond of union secures its rights as the substance of marriage and thus rises inherently indissoluble to a plane above the contingency of passion and the transience of particular caprice.

It was not above (in Paragraph 75) that marriage so far as its essential basis is concerned is not a contractual relation. On the contrary though marriage begins in contract it is precisely a contract to transcend the standpoint of contract the standpoint from which persons are regarded in their individuality.

See the footnote to Remark (f) in Paragraph 140—E

3) and so is exposed to partition and co-tenancy

A marriage brings in a being in a family which is self-subsistent and independent of the class of "houses" in which its members have been drawn. The tie between these and the new family has a natural basis—consanguinity—but the new family is based on love of an ethical type. Thus an individual parent too has an external connexion with his conjugal relation and on a separate level remote from his relation to his clan or "house."

The significance of marriage settlements which impose restrictions on the couple's common ownership of their goods, furnishings, etc., secure to him and her alike the woman, and so forth, lies in the being pronounced in case of the dissolution of the marriage either naturally by death or divorce &c. They are also safeguards for securing that in such an eventuality the different members of the family shall secure to share in the common stock. [A.]

C. The Ethical Life of Children and the Division of the Family

73 The subject of marriage is a unit though only a unit of inwardness. The division in the world exists because the unity is considered in the two parties. It is only in the children that the unity of existence is really embodied and appears as unity because the parents love the children as they love as the embodiment of their own substance. From the philosophical point of view the presupposition—per se—is immediately existent (as parent)—it becomes real—process—when born away in the infant series of generation as a product—the it and presupposing the other before. Thus the mode in which the mind of the parent reveals its existence in the first appearance as nature as race. [A.]

4. Children have the right to maintenance and education at the expense of the family in the moral law. The right of the parent to the service as an object of the children is based upon and is extinguished by the common task flowing from the family generally. Similarly the right of the parents over the will of their children is determined by the object in view—discipline and education. The punishment of children does not aim at their service as such. The aim is more objective and moral in character. It detaches them from exercising freedom in the individual feature of life and moral law, other consciousness and will. [A.]

5. Children are potentially free and their

freedom directly embodies nothing as a potential freed man. Consequently they are not things and cannot be the property either of their parents or others. In respect of his relation to the family the child's education has the positive aim of inculcating ethical principles into him in the form of an immediate feeling for which differences are not to be expected. That thus equipped with the foundation of an ethical life his heart may live in his early years in love, trust, and obedience. In respect of the same relation his education has the negative aim of raising children out of the instinctive physical level to which they are originally confined to self-substitution and freedom of power and so to the level on which they have power to leave the natural unity of the family.

One of the earliest marks against Roman law is too is the law whereby children were treated as their father's as things. This governs the ethical order of the tenor of the point of innermost life is the most important of all understanding. [A.]

5. Children are potentially free and their freedom directly embodies nothing as a potential freed man. Consequently they are not things and cannot be the property either of their parents or others. In respect of his relation to the family the child's education has the positive aim of inculcating ethical principles into him in the form of an immediate feeling for which differences are not to be expected. That thus equipped with the foundation of an ethical life his heart may live in his early years in love, trust, and obedience. In respect of the same relation his education has the negative aim of raising children out of the instinctive physical level to which they are originally confined to self-substitution and freedom of power and so to the level on which they have power to leave the natural unity of the family.

6. Marriage is not the ethical idea in its moral law and so has its objective actuality only in the inwardness of subjective feeling and disposition. In this fact is rooted the fundamental contingency of marriage in the world of existence. There can be no compulsion on people to marry and, on the other hand, there is no merely legal or positive bond which can hold the parties together once their dispositions and feelings have become hostile and contrary. A third ethical authority however is called for to maintain the right of marriage—an ethical

identity and feeling. In relation to externality the former is powerful and active the latter is

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For this reason family piety is expounded in Sophocles' *Antigone*—one of the most sublime presentations of this virtue—as principally the law of woman and as the law of a substantiality at once subjective and on the plane of feeling the law of the inward life, a life which has not yet attained its full actualization as the law of the ancient gods, the gods of the underworld, as an everlasting law and no man knows at what time it was first put forth. This law is there displayed as a law opposed to public law to the law of the land. This is the supreme opposition in ethics and therefore in tragedy and it is individualized in the same play in the opposing natures of man and woman. [A]

167 In essence marriage is monogamy because it is personality—immediate exclusive individuality—which has itself to itselfness (identity) proceeds from the mutual wholehearted surrender of this personality. Personality attains its right of being conscious of itself in another only in so far as the other is in this identical relationship as a person i.e. as an atomic individual.

Marriage and especially monogamy is one of the absolute principles on which the ethical life of a community depends. Hence marriage must be recorded as one of the moments in the founding of states by gods or heroes.

168 Further marriage results from the free surrender by both sexes of their personality—a personality in every possible way unique in each of the parties. Consequently it ought not to be entered by two people identical in stock who are already acquainted and perfectly known to one another for individuals in the same circle of relationship have no special personality of their own in contrast with that of others in the same circle. On the contrary the parties should be

drawn from separate families and their personalities should be different in origin. Since the very conception of marriage is that it is a freely undertaken ethical transaction not a tie directly grounded in the physical organism and its desires it follows that the marriage of blood relations runs counter to this conception and is also to genuine natural feeling.

Marriage itself is sometimes said to be grounded not in natural rights but simply in instinctive sexual impulses or again it is treated as a contract with an arbitrary basis. External arguments in support of monogamy have been drawn from physical considerations such as the number of men and women. Dark feelings of repulsion are adduced as the sole ground for prohibiting consanguineous marriage. The basis of all these views is the fashionable idea of a state of nature and a natural origin for rights and the lack of the concept of rationality and freedom. [A]

169 The family as person has its real external existence in property and it is only when this property takes the form of capital that it becomes the embodiment of the substantial personality of the family.

B The Family Capital

170 It is not merely property which a family possesses as a universal and enduring person it requires possessions specifically determined as permanent and secure i.e. it requires capital. The arbitrariness of a single owner's particular needs is one moment in property taken abstractly but this moment together with the selfishness of desire is here transformed into something ethical into labour and care for a common possession.

In the stage of the founding of states or at least of a civil and orderly life the introduction of permanent property linked with the introduction of money. The nature of this capital however and the purposes of its circulation will appear in the section on civil society.

171 The family as a legal entity in relation to others must be represented by the husband as its head. Further it is his prerogative to go out and work for its living to attend to its need and to control and administer its capital. This capital is common.

172 The family as a legal entity may come into collision with the head of the family's right of administration owing to the fact that the ethical temper of the family is still only at the level of immediacy (see Paragraph

See Paragraph 99 ff. A 33—E

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Transit of the Family to Civil Society

18 The family disintegrates (bo h es. actually
through the wo l g of the principl of pe o
ality and also n the c rse of nature) into
plurality of f m l es ea h f wh ch conducts it
s lf a pri ncipl a self sub stent concr te
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f mly s the th cal Idea still in its concept
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diff ren e Th g s s to be bstrct la guage
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uch a w that u rsality is s b s c pri
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an e f ethical life o sin e ths life a the e
sence neces rily sh t lf th relat o co
t tes th w rld f th cal appea a ce—civil
society

Th p nsi f th family as ts transit t
ew principle is in th t rnal w ld som times t
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natu wh ch thus h mm nat al n un
som times th fed ratu f scatt ed gro ps ff m
ilies under th inf ence f l d power as
result f l tary associati p d ced by th
ti f eeds d th reciprocity f their satisf ctu
[A.]

All ed ons read 356 —E
Cf E= { ed } 5 64 ff 558 ff [3rd edn.
45 5 ff 83 3 ff]

substantiality—against the mere whims of his
tile disposition or the accident of a purely pass-
ing mood and so forth. Such an authority dis-
tinguishes the *e* from the total estrangement of
the two parties and may not grant divorce until
it is satisfied that the estrangement is total. [A]

177 The ethical dissolution of the family con-
sists in this: that once the children have been
educated to freedom of personality and have
come of age they become recognized as persons
in the eyes of the law and as capable of holding
free property of their own and founding families
of their own: the sons as heads of new families,
the daughters as wives. They now have their
substantive destiny in the new family: the old
family on the other hand falls into the back-
ground as merely their ultimate basis and origin,
while *a fortiori* the clan is an abstraction devoid
of rights.

178 The natural dissolution of the family by
the death of the parents, particularly the father,
has inheritance as its consequence so far as the
family capital is concerned. The essence of in-
heritance is the transfer to private ownership of
property which is in principle common. When
comparatively remote degrees of kinship are in
question and when persons and families are so
dispersed in civil society that they have begun
to gain self subsistence, this transfer becomes
the less hard and fast as the sense of family
unity fades away and as every marriage becomes
the surrender of previous family relationships
and the founding of a new self-subsistent family.

It has been suggested that the basis of inheri-
tance lies in the fact that by a man's death his prop-
erty becomes wealth without an owner and as such falls
to the first person who takes possession of it be-
cause of course it is the relatives who are normally
nearest a man's death bed and so they are gener-
ally the first to take possession. Hence it is supposed that
this customary concurrence is made valid by positive
legislation on the matter is of no necessity. This argu-
ment aside degrees of the naturalness of family relation-
ships.

179 The result of this integration of the
family is that a man may at will either squander
his capital altogether, mainly in accordance
with his private caprices, opinions, and ends, or
else look upon a circle of friends and acquaint-
ances &c. as if they were his family and make a
will embodying a declaration to that effect with
the result that they become his legal heirs.

The ethical justification of freedom to dispose of
one's property by will to a circle of friends would
depend on the formation of such a circle, but there

man's competence to bequeath his property arbi-
trarily is much more likely to be an occasion for
breach of ethical obligations and for mean ex-
tortion.

and gets vain, tyrannical and venal after the
operative after the testator's death and so in any
case after his property ceases to be his.

180 The principle that the members of the
family grow up to be self-subsistent persons in
the eyes of the law (see Paragraph 177) lets
into the circle of the family something of the
same arbitrariness and discrimination among the
natural heirs, though its exercise there must be
restricted to a minimum in order to prevent in-
jury to the basic family relationship.

The mere downright arbitrariness of the deceased
cannot be the principle underlying the right to
make a will especially if it runs counter to the sub-
stantive right of the family. For after all no respect
could be forthcoming for his wishes after his death.

The declaration for its
sake it
effect the
trial

The other ground for the validity of a testamentary
disposition would consist simply in its arbitrary
recognition by others. But such an argument may
prima facie be admitted only when family ties to
which testamentary disposition is intrinsic become
more and more ineffectual. If they are actually

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ly the principle of inheritance is the
harsh and unethical legal system of Rome to which
reference has been made already. That system even
gave a father power to kill his son and if the son
was omitted by a father's will he came to
his father's spot as once more. Not until he was
manumitted did he share at all in the family
fortune. Then on rare occasions his majority de-
clared him a person in law though by the

age to the head of the family
effectively so provided similarly with similar

i p m t w i m m e t i
m p t d w s e m w s l y t b e
h b d.

187 Individuals in the capacity as burgeons
 which are appropriate so as which are

which is intellectual and so both in
 it have attained

which the members of civil society
 unconsciously in the process whereby the
 moral condition is raised,

that the objectivity in which all is for its
 part capable and worthy of being the objectivity of
 the Idea

More this form of universality—the Universal
 taking the which particularity has worked its way
 and developed itself brings the both of the same
 thing that particularity becomes individuality
 in its existence in the world. And since it is from
 this particularity that the universal is established

The idea that the state is itself in
 existence that there is simplicity of manner in

objectivity in the finite. The idea of ease
 therefore is that the manner is an unsophisticated
 that is to say as particularity develops
 the play of pleasure and pain which is the
 cure. On the contrary it does not banish natural
 simplicity whether the passion which is the
 sense of itself the crude type of knowledge and
 will be immediately singular in which
 mind has been. It aims in the first instance to
 cure of this to exercise the rationality
 of which is capable the form of universality
 the understanding (Idea of God). By this means
 it does not become the same with itself within
 this pure existence. Therefore the mind feeds in
 its own and mind becomes objects to itself in
 this sense that which is implicitly universal in
 purpose and end, freed in that it is really with
 it has itself produced and stamped with its seal.
 It is in this way then that the form of universality
 makes explicitly in existence in the light of this
 form is the only rationality in itself the existence of
 the Idea. The final purpose of education is to
 liberate too and the struggle of the high birth
 still education is the absolute transition from an
 ethical butuality which is immediate and natural

See Remark to Paragraph —E

188 Civil society contains three moments

(A) The mediation of the individual man's satisfaction
 through his work and the satisfaction
 of the ends of himself—the *System of Needs*

(B) The actuality of the universal principle of
 freedom—the contained—the protection of
 property through the *Administration of Justice*

(C) Progress against contingencies still lurking
 in systems (A) and (B) and care for
 the ultimate interests as maintenance of by means
 of the *Police* and the *Corporation*

A. The System of Needs

189 Particularity is in the first instance characterized
 in general by its contrast with the universal principle of the will and thus is subjective
 need (see Paragraph 59). Thus attain its objectivity
 is to its satisfaction by means of ()
 external things which at this stage are like we
 the property and product of the needs and wills
 of others and (β) work and effort in the middle
 of the world with the object of the objectivity
 The aim here is the satisfaction of the subject
 particularity but the universal satisfaction is in
 the bearing which the satisfaction has on the
 needs of others and the free rationality wills. The
 show of rationality thus produced; this sphere

Sub section II CIVIL SOCIETY

182 The concrete person who is himself the object of his particular aims is as a totality of wants and a mixture of caprice and physical necessity one principle of civil society. But the particular person is essentially so related to other particular persons that each establishes himself and finds satisfaction by means of the others and at the same time purely and simply by means of the form of universality the second principle here [A]

183 In the course of the actual attainment of selfish ends—an attainment conditioned in this way by universality—there is formed a system of complete interdependence wherein the livelihood happiness and legal status of one man is interwoven with the livelihood happiness and rights of all. On this system individual happiness &c. depend and only in this connected system are they actualized and secured. This system may be *prima facie* regarded as the external state the state based on need the state as the Understanding envisages it.

184 The Idea in this its stage of division imparts to each of its moments a characteristic embodiment to particularity it gives the right to develop and launch forth in all directions and to universality the right to prove itself not only the ground and necessary form of particularity but also the authority standing over it and its final end. It is the system of the ethical order split into its extremes and lost which constitutes the Idea's abstract moment its moment of reality. Here the Idea is present only as a relative totality and as the inner necessity behind this outward appearance [A]

185 Particularity by itself given free rein in every direction to satisfy its needs accidental caprices and subjective desires destroys itself and its substantive concept in this process of gratification. At the same time the satisfaction of need necessary and accidental alike is accidental because it breeds new desires without end is in thoroughgoing dependence on caprice.

and ethical degeneration common to them both

The development of particularity to self subsistence (compare Remark to Paragraph 124) is the moment which appeared in the ancient world as an invasion of ethical corruption and as the ultimate cause of that world's downfall. Some of these ancient states were but groups of persons in order which still compared to the present in either case they rested on primitive unsophisticated intuition. Hence they could not withstand the disruption of this moment.

186 But in developing itself independently to totality the principle of particularity passes over into universality and only there does it attain its truth and the right to which its positive actuality is entitled. This unity is not the identity which the ethical order requires because at this level that of division (see Paragraph 184) both principles are self subsistent.

In his *Republic* Plato divides the substance of the ethical life into love of particularity. Greek ethics by setting up in opposition to it his purely substantial state. He absolutely excluded it from his state even in its very beginnings in private property (see Remark to Paragraph 46) and the family as well as in its immaturity from the subjective will the choice of a social position and so forth. It is this defect which is responsible both for the misunderstanding of the deep and substantial truth of Plato's state and also for the usual view of it as a dream of abstract thinking. As what is often called a mere ideal. The principle of the self subsistent inherently infinite personality of the individual the principle of subjective freedom is.

and philosophy [A]

186 But in developing itself independently to totality the principle of particularity passes over into universality and only there does it attain its truth and the right to which its positive actuality is entitled. This unity is not the identity which the ethical order requires because at this level that of division (see Paragraph 184) both principles are self subsistent.

ETHICAL LIFE

(γ) Capital [and class-divisions]

acter of being property the embodiment of the free will of others and hence from his point of view his recalcitrance is absolute. [A.]

(β) The Kind of Work [it is peculiar of each of them]

106 The means of acquiring and perpetuating the

199 When men are thus dependent on one another and reciprocally related to one another in their work and the satisfaction of their needs, subjective self-seeking turns into a contribution to the satisfaction of the needs of every needer. That is itself by a dialectical advance subjective self-seeking turns into the mediation of the particular through the universal with the result that each man in the community producing and enjoying on his own account *sees* producing and earning for the enjoyment of everyone else. The compulsion which brings this about is rooted in the complex interdependence of each on all and it now presents itself to each as the universal permanent capital (see Paragraph 10) which gives each the opportunity by the exercise of his education and skill, to draw a share from it and so be assured of his livelihood while what he thus earns by means of his work maintains and increases the general capital.

200 A particular man's resources or in other words his opportunity of sharing in the general

Practical education acquired through working consists first in the automatically recurrent need for something to do and the habit of simply be-

[A.]

198 The universal and objective element in work on the other hand, lies in the abstracting process which effects the subordination of needs and means and the thereby *sees* subordinates production and brings about the division of labour. By this division the work of the individual becomes less manifold and consequently his skill in the sector of the business rises like his output. At the same time this abstraction of one man's skill does mean a production from another's necessities and makes necessary every other's dependence on men on one another and the reciprocal relation in the satisfaction of their needs. Further the abstraction of man's product from man's other makes work more and more mechanical, until finally man's final step is to install machines in his place.

photon counts as well, they have as their inevitable reciprocal dependencies individual resources and ability

The objective right of the particularity of mind is contained in the Idea. Men are made equal by nature where equality is in itself and in civil society the right of particularity is so far from annulling this natural inequality that it produces it and raises it to an inequality of skill and resources, and even to the formal and intellectual claim that it proposes this right demand of equality is fully with the understanding which takes as real and rational its abstract equality and is ought to be

this view of needs and labour but then has the task of explaining mass relationships and mass movements in their complexity and their qualitative and quantitative character. This is one of the sciences which have arisen out of the conditions of the modern

front it at the outset and extract from the simple principles of the thing the Understanding effect in the thing and directing it. It is to find reconciliation here to discover in the sphere of needs this show of rationality lying in the thing and effective there but if we look at it from the opposite point of view this is the field in which the Understanding with its subjective aims and moral fancies vents its discontent and moral frustration. [A]

(a) *The Kind of Need and Satisfaction*
[typical of civil society]

190 An animal's needs and its ways and means of satisfying them are both alike restricted in scope. Though man is subject to this restriction too yet at the same time he evinces his transcendence of it and his universality first by the multiplication of needs and means of satisfying them and secondly by the differentiation and division of concrete need into single parts and aspects which in turn become different needs particularized and so more abstract.

In [abstract] right which we laid before us was the person in the sphere of morality the subject in the family the family member in civil society as a whole the burgher or bourgeois. Here at the standpoint of needs (compare Remark to Paragraph 123) what we have before us is the composite idea which we call man. Thus this is the first time a deed properly the only time to speak of man in this sense. [A]

191 Similarly the means to particularized needs and all the various ways of satisfying these are themselves divided and multiplied and so in turn become proximate ends and abstract needs. This multiplication goes on *ad infinitum* taken as a whole it is refinement i.e. a discrimination between these multiplied need and judgement on the suitability of means to their end. [A]

192 Needs and means as things existent *realiter* become something which has being for others.

reciprocal
This abstract
character

of being recognized and is the moment which makes concrete i.e. social the isolated and abstract needs and their ways and means of satisfaction. [A]

193 This social moment thus becomes a particular end determinant for means in themselves and their acquisition as well as for the manner in which needs are satisfied. Further it directly involves the demand for equality of satisfaction with others. The need for this equality and for emulation which is the equalizing of oneself with others as well as the other need also present here the need of the particular to assert itself in some distinctive way become themselves a fruitful source of the multiplication of need and their expression.

194 Since in social needs as the conjunction of immediate or natural needs with mental needs arising from ideas it is needs of the latter type which because of their universality make themselves preponderant this social moment has in it the aspect of liberation i.e. the strict natural necessity of need is obscured and man is concerned with his own opinion indeed with an opinion which is universal and with a necessity of his own making alone instead of with an external necessity, an inner contingency and mere caprice.

The idea has been advanced that in respect of his needs man lived in freedom i.e. the so-called state of nature when his needs were supposed to be confined to what is known as the simple necessities of nature and when he required for their satisfaction only the means which the accidents of nature directly assigned to him. This view takes no account of the moment of liberation intrinsic to work on which see the following Paragraphs. And part from this, it is false because to be confined to mere physical needs as such and the direct satisfaction would simplify the condition which man is plunged into by the natural and social bondage of savagery and freedom while freedom itself is to be found only in the reflection of man in himself in mind's distinction from nature and the reflex of mind in nature.

195 This liberation is abstract since the particularity of the ends remains their basic content. When social conditions tend to multiply and subdivide needs means and enjoyments in definitely—a process which like the distinction between natural and refined needs has no qualitative limits—this is luxury. In this same process however dependence and want increase *ad infinitum* and the material to meet the need is permanently barred to the needy man because it consists of external objects with the special char-

essential and final determining factors are subjective and the individual's arbitrary will which wins in this sphere their right to their merit, and their dignity. Hence what happens here by means of the

proper place in this sphere where the paramount thing is reflection on one's doings and the quest of happiness and private wants and where the contingency in satisfying these makes into a duty even a simple and continuous act of assentance

of his own...
...consolidation of difference

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At first (i.e. especially in youth) man chafes at the idea of resolving particular social positions and looks upon this as restricting his universal character and as necessity imposed upon him personally. This is because his thinking is still of that abstract kind which refuses to move beyond the universal and so never reaches the actual. It does not realize that if the concept is to be determinate it must first fall distance into the distinction between the concept and its real existence and thereby into determinacy and particularity (see Paragraph 7). It is only then that the concept can win actuality and ethical objectivity [A.]

3. As the private particularity of knowing and willing the principle of this system of needs contains already universalty the universalty of freedom is abstractly a duty before as the right property. At this point however this right is no longer merely implicit but has attained its recognized actuality as the protection of property through the administration of justice

B The Administration of Justice

209 The relatedness arising from the reciprocal bearing on one another of needs and work to satisfy these is first fully reflected into it. If as infinite personality as abstract right. But it is thus in sphere of relatedness—a sphere of education—which gives abstractly mediated termination of being, something universally recognized, known, and willed, a duty having a reality and an objective actuality mediated by this known and willed character

It is part of education of thinking as the conscious use of the mind in the form of universality that the ego comes to be apprehended as an actual person in which all are identical. A man counts as a man in virtue of his manhood alone not because he is Jew Catholic Protestant German Italian &c. This is an assertion which thinking ratifies and becomes for us of the highest importance. It is defective only when it is crystallized, e.g. as conventionalism in opposition to the concrete life of the state. [A.]

210 The objective actuality of the right exists first in its existence for consciousness in its being known in some way the second in its possession, the power which the actual possesses in its being valid, and so also in its being

See Paragraph 87—E

3. Either it throws society as happened in the Greek states and in the Roman Republic where the whole society preserved itself in being as free as possible into liberty of instance it appears as more corrupt and complete degeneration as was the case to some extent in Sparta and in a somewhat the case in India.

But when subject to particularity is upheld by the objective relation to itself with it and is the same thing. It would be right that it becomes the main principle of the future civil society of the development alike of mental activity, merit, and duty. The recognition and the right that what is brought about by reason of necessity in civil society should be shall the same thing be affected by the mediation of the arbitrary will is the more precise definition of what is primarily meant by freedom in common practice (see Paragraph 3)

A man actualizes himself only in becoming something definite i.e. something peculiarly particularized thus in actualizing himself exclusively on the particular spheres of need. In this last system, the ethical frame of mind that is rectitude and *ethos* of the people the elements of man's own self member of the moments of civil society be seen to act through energy industry and skill to maintain oneself in this position and to send forth oneself only through this process of mediating oneself with the universal, while in this way gaining recognition both in its own eyes and in the eyes of others. Morality has its

whole with different members (see the following Paragraph)

201 The infinitely complex criss cross movements of reciprocal production and exchange and the equally infinite multiplicity of means therein employed become crystallized owing to the universality inherent in their content and distinguished into general groups. As a result the entire complex is built up into a

In this matter nothing is of more interest than the ingenious and learned explanation

which education is into systems to one or other of which individuals are assigned—in other words into class divisions [A]

o The classes are specifically determined in accordance with the concept as (a) the *substantial* or immediate [or agricultural] class (b) the reflecting or *formal* [or business] class and finally (c) the *universal* class [the class of civil servants]

203 (a) The substantial [or agricultural] class has its capital in the natural product of the

objective way and not mere haphazard exploitation. In face of the connexion of [agricultural] work and its fruits with separate and fixed times of the year and the dependence of harvests on the variability of natural processes the aim of need in this class turns into provision for the future but owing to the conditions here the agricultural mode of subsistence remains one which owes com-

position of an ethical life which is immediate resting on family relationship and trust

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law

13 Right becomes determinat in the first place when it has the form of being posited as positive law. It also becomes determinate in content by being applied both to the material of civil society (i.e. the endlessly growing complexity and subdivision of social ties and the different species of property and contracts within the society) and to ethical ties based on the

prese t is th t som thing be t ally d n that th
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case [A]

(β) Law determinately existent

21 If I was able to have a binding force it follows that in view of the right of self-consciousness (see Paragraph 137 and the Remark there to) they must be made universally known

oscillate on multiple frequencies but however in the
most rest fighting with the gods and for this
reason there is place within that limit for con-
trolling the arbitrary decisions

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ence B t th truth is that ther w k was t th
sam tum great ct f justice [A]

26 For a public legal code simpl general laws are equated and yet the nature of the final material to which law is applied leads to the further determining of general laws and finally the other hand, the law ought to be a comprehensive whole closed and complete and yet on the other hand the need for further determination is essential But in this antinomy lies only when universal principle which is fixed and unchanged is applied to partial types of case the right to

A fruitful source of complexity in legislation is the

coming known as universally valid

(a) Right as Law

211 The principle of rightness becomes the law (*Gesetz*) when in its objective existence it is posited (*gesetzt*) i.e. when thinking makes it determinate for consciousness and makes it known as what is right and valid and in acquiring this determinate character the right becomes positive law in general

21) Thereby its content is reduced to its simplest form and so is given its final determinacy. In becoming law what is right acquires for the first time not only the form proper to its universality but also its true determinacy. Hence making a law is not to be represented as merely the expression of a rule of behaviour valid for everyone though that is one moment in legislation the more important moment the inner essence of the matter is knowledge of the content of the law in its determinate universality

Since it is only animals which have their law as instinct while it is man alone who has law as custom even systems of customary law contain the moment of being thoughts and being known. Their difference from positive law consists solely in this that they are known only in a subjective and accidental way with the result that in themselves they are less determinate and the universality of thought is less clear in them. (And apart from this knowledge of a system of law either in general or in its details is the accidental possession of a few.) The supposition that it is customary law on the strength of its character as custom which possesses the privilege of having become part of life is a delusion since the valid laws of a nation do not cease to be its customs by being written and codified—and besides it is as a rule precisely those versed in the dearest of topics and the dearest of thoughts who think in days of life and of becoming part of life. When a nation begins to acquire even a little culture its customary law must soon come to be collected and put together. Such a collection is a legal code but one which as a mere collection is markedly formless and determinate and fragmentary. The main difference between it and a code properly so called is that in the latter the principles of jurisprudence that its universality and so in their determinacy have been apprehended in terms of thought and expressed. English national law municipal law is called so well known in statutes (written laws) and in so called unwritten laws. This unwritten law how

written law and yet they are just as much exempt

whether they accorded with the unwritten law or not

A similar confusion might have arisen in the legal system of the later Roman Empire owing to the different but authoritative judgements of all the famous jurists. An Emperor met the situation however by a sensible expedient when by what was called the Law of Citations he set up a kind of College of the jurists who were longest deceased. There was a President and the majority vote was accepted.

No greater insult could be offered to a civilized people or to its lawyers than to deny them ability to codify their law for such ability cannot be that of constructing a legal system with a novel content but only that of apprehending i.e. grasping in thought the content of existing laws in its determinate universality and then applying them to particular cases. [A]

212 It is only because of this identity between its implicit and its posited character that positive law has obligatory force in virtue of its rightness. In being posited in positive law the right acquires determinate existence. Into such existence there may enter the contingency of self will and other particular circumstances and hence there may be a discrepancy between the content of the law and the principle of rightness

In positive law therefore it is the legal which is the source of our knowledge of what is right or more exactly of our legal rights (*Rechts*). The science of positive law is to that extent an historical science with authority as its guiding principle. Anyhow and above this historical study is matter for the understanding and concerns the collection of laws, the classification on external principles, deductions from them their application to fresh details &c. When the understanding meddles with the nature of the thing itself its theoretical or criminal law show what its deductive argumentation can effect

The science of positive law has not only the right

been proved the further question about the rationality of a specific law is still raised the question may

II §. *Lehrbuch der Gesetzgebung* 4te Aufl. 5m. 2te Aufl. § 354 [§ 355 in the 7th ed.]

thority—the court of justice.

and his co-re

tion of having to make good the evidence and the claims and to make the judge acquainted with the facts. The steps in a legal process are themselves right, and their course must therefore be fixed by law. They also constitute an essential part of jurisprudence. [A]

23 These steps in a legal process re ubdi
vided c ntually within no fix d limits into
m re and mo e ctions each being distinct in
ts li and a right He ce al gal p o ess in itself
in any case a means n w begins to be something

in the 1st point t... in discus...
and the stat Th point is th t legal d political
instat is ns ar rati nal in principle and theref re
bol tly necessary and th q estu f th f rm
in hich th arose w re introd ed as entirely
irrelevant t consid ratu f the rational basis.
At th ther extrem f om Herr Hall point
f w is th barbarous t th t th d mstrat
in f justice is w as t was in the da wh

GETY

When the right against crime has the form of revenge (see Paragraph 10) it is only right implicit in the right in the form of right to self revenge. It is the duty of the injured party to injure the offender in the same way as he has injured him and this has its practicality in the court of law. It takes the form of pursuit and the engaging of him and this pursuit consequently ceases to be the duty of the defendant but enters into the arena and transforms it into the general reconciliation of right with itself and the punishment of the offender by the law. The law with itself by the action of the law itself is established with right as the actualized. Subjectively it is the ethical act of the criminal with himself as with the law known by him and as he himself has pursued when this law is executed upon him, he himself finds in this process the satisfaction of justice and the meaning of his act.

A member of civil society has the right
judicial and corresponding the duty of
knowledge with respect to the court and
appeals is decided final when his own
rights are indisputable [A.]

22 In the present character who might
 es qu es that it must be demon trable.
 When parties g t law th y put in th pos

See Hegel's footnote to Paragraph 38.—Ed.

against legal processes and their misuse

Equity in the departure from formal rights
wing to moral and other considerations and is con-
cerned primarily with the test of the law. A

legal precedent f th f t re

in a particular case (the source of the proceeding was the legal game itself)—i.e. the publicity of judicial proceedings. The case for this is that a trial implicitly is an element of universal validity although the particular content of the decision affects the interests of the particular universal content is the right to issue a judgment that reflects the interests of everybody.

If the members of the bench deliberate among get themselves both to the judgment which they render such a liberal expression of opinions and views still personal and so naturally are to be expected.

By the judgment of the court the law is applied to a single case and the work of judgment has two distinct aspects: first, certain

gradual intrusion of reason of wh
and actua
have some
ly historic
as was rei

280) in a ... it is a law &c It is essential to
notice however that the very nature of the finite
material to which law is applied necessarily entails
an infinite progress in the application to it of princi
ples universal in themselves and inherently and ac
tually rational

It is misunderstanding which has given rise alike to
the demand—a morbid craving of German scholars
chiefly—that a legal code should be something wh
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stant

It takes on a misconception of the
nature of a finite subject matter like private law
whose so called completeness is a perennial ap
proximation to completeness on a misconception of
the difference between the universal of reason and
the universal of the Understanding and also on the
application of the latter to the material of finite
and atomicity which goes on for ever—*Le plus
grand en emi d Ben c'est le Meilleur* is the utter
ance of true common sense against the common
sense of idle argumentation and abstract reflection
[A]

217 The principle of rightness passes over in
civil society into law My individual right whose
embodiment has hitherto been immediate and
abstract now similarly becomes embodied in
the existent will and knowledge of everyone in
the sense that it becomes recognized Hence
property acquisitions and transfers must now
be undertaken and concluded only in the form
which that embodiment gives to them In civil
society property rests on contract and on the
formalities which make ownership capable of
proof and valid in law

Original direct titles and means of acquisition
(see Paragraphs 54 ff) are simply discarded in civil
society and appear only as isolated accidents or as
subordinated factors of property transactions It is
either feeling or feeling to me beyond the subject

1

1

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circumstantial and count rather as the thing itself
than as its symbol Thus even in Roman law a num
ber of forms and especially phrases were

218 Since property and personality have legal
recognition and validity in civil society wrong
doing now becomes an infringement not merely
of what is subjectively infinite but of the uni
versal thing which is existent with inherent sta
bility and strength Hence a new attitude arises
the action is seen as a danger to society and
thereby the magnitude of the wrongdoing is in
creased On the other hand however the fact
that society has become strong and sure of itself
diminishes the external importance of the injury
and so leads to a mitigation of its punishment.

The fact that an injury to one member of society is
an injury to all others does not alter the conception
of wrongdoing but it does alter it in respect of its
outward existence as an injury done an injury which
now affects the mind and consciousness of civil so
ciety as a whole not merely the external embodi
ment of the person directly injured In heroic times
as we see in the tragedy of the ancients the citizens
did not feel themselves injured by wrongs which
members of the royal houses did to one another

Implicitly crime is an infinite injury but as an
existent fact it must be measured in quantity and
quality (see Paragraph 96) and since its field of ex
istence here has the essential character of affecting
an idea and consciousness of the validity of the
its danger to civil society is a determinate of the
magnitude of a crime or even of its qualitative
characteristics

Now this quality or magnitude varies with the
state of civil society and this is the justifica
tion sometimes attaching the penalty of death to a
theft of a few pence or a turnp and at other times
a light penalty to a theft of a hundred or more

(γ) The Court of Justice

219 By taking the form of law right steps into
a determinate mode of being It is then some
thing

something universal This is achieved by recog
nizing it and making it actual in a particular
case without the subjective feeling of private
interest and this is the business of a public au

C mp re R ma k t F ras ph 96 and 39—E

this is the case that when the developme t f law is
just beginning ceremonies and formalities are more

negative freedom, may be regarded as the fundamental law, to keep before us in considering the necessity of positive law in legal proceedings and of the so-called jury courts, and this in the last resort the essence of what ever may be advanced in favour of these institutions to secure their utility. Only positive law and reasoning, also the theoretical demands and disadvantages may give rise to an argumentative exchange, but reasoning of this kind like all other reasoning, is either secondary and non-conclusive or drawn from theoretical and particular premises rather than that of divine law. It may be the case that the demonstration of justice were entirely in the hands of professional lawyers, and there were no lay institutions like juries, it would in theory be maintained just as well, if not better. It may be so but even if this possibility rises by gen-

C. The Police and the Corporation

20 In the system of needs the livelihood and welfare of every single person is a possibility whose actual attainment is just as much conditioned by his capacities and particular endowment as by the objective system of needs. Through the demonstration of justice offences against property or person are annulled. But the reality actually present in the particular requires first that accidental hindrances to one aim or another be removed, and undisturbed safety of person and property be attained and secondly that the security of every single person's livelihood and welfare be treated and actualized as a right, i.e. that particular welfare as such be so treated.

() Police (or the public authority)

3 Inasmuch as it is still the particular will which governs the choice of this that end, the universal authority by which crime is ensured remains in the first instance (a) restricted to the sphere of contingencies and (b) an external organization.

3 Crime is contingency as objective willing of evil, and this is what the universal authority must prevent or bring to justice. But, crime apart the subjective willing which is permitted in various lawful persons and in the private use of property also comes into external relation with other persons as well as with public institutions other than law-courts established for realization of common end. This universal aspect makes private acts a matter of contingency which escapes the arms of control and which crime does not injure them and we do them.

31 The real and possibly of injury but the actual non-occurrence of injury is the thing, not just a mere contingency. The point is that the acts of individuals may all ways be wrongful and thus the damage is reason for police control and penal justice.

34 The relations between external elements fall into the domain of the understanding, the is to reform no law, sentimentality, distinction between what is and what is no injurious even where crime is concerned, between what is and what is not suspicious or between what is to be forbidden or subjected to universal surveillance and what is to be exempt from prohibition from surveillance and suspicion from inquiry and the demands rendered on each of itself. These details are determined by custom, the spirit of the

happens, the members of civil society who depend for their livelihood their industry, their knowledge and will, are kept strangers to the law not by those parts of justice their most personal and intimate affairs, but also to its objective and rational basis, to which law and to reason is that law become the wards, even in sense the bondage, of the legal profession. They may indeed have the right to appear in court in person and stand there (as persons) but their bodily presence is thus if their minds are not to be there and if they are not to follow proceedings with their own knowledge and if the justice they receive remains in their eyes doomed pronounced as extra.

32 Civil society the idea is lost in particular and has fallen under which the separation of firms and ward. In the domain of justice however civil society remains its essence and its unity, the unity of universal with the objective particular and with here the latter is only that present in such cases and the universal in question is that of the community. The demonstration of justice through external control is what is particular is the external function of the Police and with the universal which enters is only retained in the Community which constitutes the common law through which in who who, the essence is res noted. [A]

ment of the nature of the case as a unique single occurrence (e.g. whether a contract &c &c has been made whether a trespass has been committed and if so by whom) and in criminal cases reflection to determine the essential criminal character of the deed (see Remark to Paragraph 119) secondly the subsumption of the case under the law that right must be restored Punishment in criminal cases is a conception falling under this law Decisions on these two different aspects are given by different functionaries

In the Roman judicial system this distinction of functions appeared in that the Praetor pronounced judgement on the assumption that the facts were so and so and then appointed a special *judex* to inquire into the facts

In English law it is left to the insight or opinion of the prosecutor to determine the precise character of a criminal act (e.g. whether it is murder or manslaughter) and the court is powerless to alter the indictment if it finds the prosecutor's choice wrong

226 First the conduct of the entire process of inquiry secondly the detailed stages of the action between the parties (these stages themselves being rights—see Paragraph 222) and then also the second of the aspects of the work of judgement mentioned in the previous Paragraph are all a task which properly belongs to the judge at law He is the organ of the law and the case must be prepared for him in such a way as to make possible its subsumption under some principle—that is to say it must be stripped of its apparent empirical character and exalted into a recognized fact of a general type

227 The first aspect of the work of judgement is the knowledge of the facts of the case as a unique single occurrence and the description of its general character involves in itself no pronouncement on points of law This is knowledge attainable by any educated man In settling the character of an action the subjective moment is the agent's insight and intention (see the Second Part) is the essential thing and apart from this the proof depends not on objects of reason or abstractions of the Understanding but only on single details and circumstances objects of sensuous intuition and subjective certainty and therefore does not contain in itself any absolute objective probative factor It follows that judgement on the facts lies in the last resort with subjective conviction and conscience (*animi sententia*)

Especially Paragraph 119—E
I saw a thing best of my belief on my conscience—Ed

while the proof resting as it does on the statements and affidavits of others receives its final though purely subjective verification from the oath

In this matter it is of the first importance to fix

necessity and so demands a method other than that requisite for the proof of a geometrical theorem

empirical in content like a fact the material of knowledge is a given sensuous intuition and subjective sense certainty and statements and affidavits about such material It is then a question of drawing conclusions and putting it on a definite theoretical position of that kind attestations and other details &c The objective truth which emerges from material of this kind and the method appropriate to it leads when attempts are made to determine it rigidly and objectively to half proofs and then by further sincere deductions from these—deductions which at the same time involve formal illogicality—to extraordinary punishments But such objective truth means something quite different from the truth of a rational category or a proposition whose content the Understanding has determined for itself abstractly in advance To show that since the strictly legal character of a court covers competence to ascertain this sort of truth about empirical events it thereby properly qualifies a court for this task and so goes it an inherent privilege to perform it and lay on it the necessity of performing it—that is the best approach to settling the question of how far decisions on points of fact as well as on points of law should be ascribed to courts as strictly juristic bodies [A]

228 When judgement is pronounced—so far as the function of judgement is the subsumption under the law of the case whose nature has been settled—the right due to the parties on the score of their self-consciousness is preserved in relation to the law because the law is known and so is the law of the parties themselves and in relation to the subsumption because the trial is public But when a verdict is given on the particular subjective and external facts of the case (knowledge of which falls under the first of the aspects described in Paragraph 25) this right is satisfied by the confidence which the parties feel in the subjectivity of those who give the verdict This confidence is based primarily on the similarity between them and the parties in respect of their particularity is their social position &c

The right of self-consciousness, the moment of

graph 27) and broken the bond of the family—
with wide sense of the clan (see Paragraph
31)—they partly lessens them more or less
dependence of all the advantages of society of the
opportunity for acquiring skill education of
any kind as well as of the administration of
justice the public health services and of the
influence of religion and of the
The public authority takes the place of the
family her the powers are concerned in the pe-
t of only of the immediate world but look of
laws of dependence of the malignity and the other
as which arise out of their plight and the re-
sults of wrong

4. Partly a dependence general the distress of
every kind to which every individual is ex-

dependence a distress of the distressed to work
of that sort and these again entail inability to
freely and enjoy the broader freedoms and espe-
cially the intellectual benefits of civil society

44. When the standard of living of a large
mass of people fall below a certain subsistence
level—level regulated automatically as the
one necessary for a member of the society—and
when there is a consequent loss of the sense of
right and wrong of honesty and the self respect
—maintaining him

hence [A]

245. When the masses begin to decline into
poverty (a) the burden of maintaining them at
the ordinary standard of living might be di-
rectly do the welfare classes of the might

multiply finds plenty to do despite all public
organization by the world both in
the field of operation dependence
tendency and eventually society struggle to
make it less necessary by doing the gen-
eral cause of penury and general means of
relief by organizing relief and giving

Casualty given and casual down to the
the burning stamp of the human beings, the
plethora of the public human beings hospital treat

undoubtedly by himself his private in line
on direct

43. When civil
dependence of the engaged in the public
nally popular to do try The man
of the intelligence by general (a) the
the knowledge of the by the ends of (b) the
methods of the public good tributing them
the satisfaction of the because of the
do the public of generalization that the large
essential denied That side of the
part of the the world of the
situation of particular jobs. This results in the

See Paragraph 6—Ed

caused by the effects of the
cess of production and in the lack of pro-
portionate number of some which the
selves of production and thus the simply in-
tensified by both of the methods (a) and (b)
by which the sought to alleviate it. It hence
becomes apparent that despite an excess of
wealth civil society is not rich enough to its
own resources insufficient to check excessive
poverty and the creation of a numerous rabble

If the example of England may be taken
the men of the 19th century and the political
the result of the political, economic, and
limit of the political, economic, and

rest of the constitution contemporary conditions the crisis of the hour and so forth [A]

235 In the indefinite multiplicity

(a) in which everyone confidently expects to be possible of attainment without hindrance and (b) the endeavours made and the transactions carried out in order to shorten the process of attainment as much as possible give rise to factors which are a common interest and when one man occupies himself with these his work is at the same time done for all. The situation is productive too of contrivances and organizations which may be of use to the community as a whole. These universal activities and organizations of general utility call for the oversight and care of the public authority.

36 The differing interests of producers and consumers may come into collision with each other and although a fair balance between them on the whole may be brought about automatically still their adjustment also requires a control which stands above both and is consciously undertaken. The right to the exercise of such control in a single case (e.g. in the fixing of the prices of the commonest necessities of life) depends on the fact that by being publicly exposed for sale goods in absolutely universal daily demand are offered not so much to an individual as such but rather to a universal purchaser the public and thus both the defence of the public's right not to be defrauded and also the management of goods inspection may lie as a common concern with a public authority. But public care and direction are most of all necessary in the case of the larger branches of industry because these are dependent on conditions abroad and on combinations of distant circumstances which cannot be grasped as a whole by the individuals tied to these industries for their living.

At the other extreme to freedom of trade and commerce in civil society a public organization to provide for every thing and determine everyone's labour—take for example in ancient times the labour on the pyramids and the other huge monuments in Egypt and Asia which were entrusted for public ends and the workers' tasks not mediated through his private choice and particular interest. This interest involves freedom of trade and commerce against control from above but the more blindly it sinks into self-seeking aim the more it requires such control to bring it back to the universal. Control is also necessary to diminish the danger of upheavals arising from class interests and to

abbreviate the period in which their tensions would be eased through the working of a necessity of which they themselves know nothing [A]

37 Now while the possibility of sharing in the general wealth is open to individuals and is assured to them by the public authority till it is subject to contingencies on the subjective side (quite apart from the fact that this assurance must remain incomplete) and the more it presupposes skill health capital and so forth as its conditions the more is it so subject.

238 Originally the family is the substantive whole whose function it is to provide for the individual on his particular side by giving him either the means and the skill necessary to enable him to earn his living out of the resources of society or else subsistence and maintenance in the event of his suffering a disability. But civil society tears the individual from his family ties estranges the members of the family from one another and recognizes them as self-subsistent persons. Further for the paternal soil and the external inorganic resources of nature from which the individual formerly derived his livelihood it substitutes its own soil and subjects the permanent existence of even the entire family to dependence on itself and to contingency. Thus the individual becomes a son of civil society which has as many claims upon him as he has rights against it [A]

239 In its character as a universal family civil society has the right and duty of superintending and influencing education inasmuch as education bears upon the child's capacity to become a member of society. Society's right here is paramount over the arbitrary and contingent preferences of parents particularly in cases where education must provide as is practicable [A]

240 Similarly society has the right and duty of acting as trustee to those whose extravagance destroys the security of their own subsistence or their families. It must substitute for extravagance the pursuit of the ends of society and the individuals concerned [A]

41 Not only caprice however but also contingencies physical conditions and factors grounded in external circumstances (see Paragraph 300) may reduce men to poverty. The poor still have the needs common to civil society and yet since society has withdrawn from them the natural means of acquisition (see Paragraph

graph 217) and breadth of the family—
in the wider sense of the clan (see Paragraph
3)—their powerless condition in the
denial of all the advantages of society of the
corruption of education and of
a kind, as well as of the demoralization of
the public character and often even
of the conscience of the men, and of forth.
The public authorities take the place of the
family were the poor are concerned in respect
not only of their immediate want but also of
longer term of education, maintenance and their
education which arise out of their position and their
sense of wrong.

4. Poverty and, in general, the distress of
every kind to which every individual is ex-
posed from the start in the cycle of his natural
life has subjective and which demands similar
subjective aid, a large both from the special
circumstances of a particular case and also from
love and sympathy. This is the part where
the various fields point to demand all pub-
lic action on subjective aid, to have both in
self and in others on is dependent con-
tingency and consequently society struggles to
make less necessary by discussing the gen-
eral causes of poverty and general means of its
relief and by raising relief cordially.

Casual alms-giving and casual endowments, as of
the benevolent friends, rich laymen, &c., are sym-
plomatic of poverty as such uses formal street
lighting and so forth. There is still great need
to go over and above these things if charity is to
be of any use. A few are used both when
charitable societies have too poor relief reserved
solely to private sympathy and the accidental oc-
currence of knowledge and charitable disposition,
and also when it feels injured and turned by un-
usual relations and resources which are a
very poor social condition. The latter is
be regarded as all the more perfect the less (in com-
parison with what is realized public charity) is left for
an individual to do by himself as his private inclinations
are directed.

43. Within civil society is in social functions

Like the men by the need, and (b) the
methods of preparing and distributing means
to satisfy these needs because it is in this
down process of generalization that the large
scale projects are demanded. That is one of the
features of the wide social administration and the
scale of public work. This is the basis of the

See Paragraph 3.—Ed.

dependence and distress of the distressed to work
of the sort and these again entail inability to
feel and enjoy the broader freedoms and espe-
cially the intellectual benefits of civil society.

244. When the standard of living of a large
mass of people falls below a certain absolute
level—a level regulated automatically as the
one necessary for a member of the society—and
when there is a consequent loss of the sense of
right and wrong of honest and the self-respect
which makes a man maintain himself
by his own work and effort the result is the
creation of a rabble of paupers. At the same time
this brings with it the decline of the social
scale and the social which greatly facilitates the con-
centration of disproportionate wealth in a few
hands. [A.]

5. When the masses begin to decline into
poverty (a) the burden of maintaining them at
their ordinary standard of living might be di-
rectly laid on the wealthier classes if they must
receive the means of livelihood directly from
other public sources of wealth (e.g. from the en-
dowments of rich hospitals and charities and
other foundations). In either case however the
needs would receive attention directly not by
means of the work and thus would violate the
principles of civil society and the feeling of in-
dividual independence and self-respect in its in-
dividual members. (b) As an alternative they
might begin to subsidize indirectly through be-
nevolent work, the opportunity to work. In
this event the limit of production would be
increased, but the social scale would be in an
excess of production and in the lack of pro-
portionate number of consumers with them
it would also produce and thus it is simply in-
tensified both of the methods (a) and (b)
because it is sought to alleviate it. It hence
becomes more apparent that the necessity of
wealth in civil society is not in itself, but its
own resources are insufficient to check the
poverty and the creation of a pauperous rabble.

In the example of England we may study these
phenomena in large scale and also in particular
the results of poor rates, immense subsidization, un-
limited private beneficence and above all the bo-

jects.

rest of the constitution contemporary conditions the crisis of the hour and so forth [A]

35 In the indefinite multiplication and interconnection of day to day needs (a) the acquisition and exchange of the means to their satisfaction—a satisfaction which everyone confidently expects to be possible of attainment without hindrance and (b) the endeavours made and the transactions carried out in order to shorten the process of attainment as much as possible give rise to factors which are a common interest and when one man occupies himself with these his work is at the same time that of

abbreviate the period in which they tend to be effected through the working of a necessity of which they themselves know nothing [A]

3, Now while the possibility of sharing in the general wealth is open to individual and is assured to them by the public authority till it is subject to contingencies on the subjective side (quite apart from the fact that this assurance must remain incomplete) and the more it presupposes skill health capital and so forth as conditions the more is it so subject

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239 In its character as a universal family civil society has the right and duty of superintending and influencing education inasmuch as education bears upon the child's capacity to become a member of society. Society's right here is paramount over the arbitrary and contingent preferences of parents particularly in cases where education is to be completed not by the parents but by others. To the same end society must provide public educational facilities so far as is practicable [A]

40 Similarly society has the right and duty of acting as trustee to those whose extravagance destroys the security of their own subsistence or their families. It must substitute for extravagance the pursuit of the ends of society and the individuals concerned [A]

241 Not only caprice however but also contingencies physical conditions and factors grounded in external circumstances (see Paragraph 200) may reduce men to poverty. The poor still have the needs common to civil society and yet since society has withdrawn from them the natural means of acquisition (see Paragraph

public authority

36 The differing interests of producers and consumers may come into collision with each other and although a fair balance between them on the whole may be brought about automatically still their adjustment also requires a control which stands above both and is consciously undertaken. The right to the exercise of such control in a single case (e.g. in the fixing of the prices of the commonest necessities of life) depends on the fact that by being publicly exposed for sale goods in absolutely universal daily demand are offered not so much to an individual as such but rather to a universal purchaser the public and thus both the defence of the public's right not to be defrauded and also the management of goods inspection may lie as a common concern with a public authority. But public care and direction are most of all necessary in the case of the larger branches of industry because these are dependent on conditions abroad and on combinations of distant circumstances which cannot be grasped as a whole by the individuals tied to these industries for their living

At the other extreme if—

me in civil
vid for every
—take for ever

the pyramids which were a huge monument in Egypt and Asia which were constructed for public ends and the workers task was not motivated through his private choice and particular interest. This interest involves freedom of trade and commerce against control from above but the more boldly it sinks into self-seeking aims the more it requires such control to bring it back to the useful end. Control is also necessary to diminish the danger of upheavals arising from clashing interests and to

member fixed by the general structure of society (c) to protect its members against particular contingencies (d) to provide the education required for others to become members. In short its right is to come on the scene like a second family for its members while civil society can only be a derivative sort of family because it comprises every one and so is farther removed from individuals and their special exigencies.

satisfy their betwixt insecure. C. may if he has to try to gain recognition of himself by going external proofs of success in his business and to these proof himself can be set. He cannot find in the manner of his class of class really exists of him in civil society is not something common to particular persons which really exist. Some things legally constituted and recognized. He can be a self way of life proper to his

perform their duties to their fellow associates and thus riches cease to inspire either pride or envy. Pride in their winners, envy in the losers. In these duties no rectitude of business is proper recognition and respect.

4. The so-called natural right of earning one's livelihood and thereby earning what there is to be earned is restricted within the Corporation only insofar as it is there made rational instead of natural. That is to say it becomes freed from personal passion and contingency so as to be in danger neither the individual workman nor others recognized, guaranteed, and at the same time related to conscious effort for a common end.

5. As the family was the first so the Corporation is the second ethical root of the state. The Corporation is planted in civil society. The form contains the moments of subjectivity and particularity.

1. Is not as particular

33. In the Corporation the family has its stability based in the sense that its livelihood is assured there conditionally upon capability.

It has a stable capital (see Paragraph 30). In addition to this it has capital and livelihood in the power of it with the result that the Corporation on member needs no real market beyond his own membership as evidence of his skill and his regular income and subsistence as evidence that he is somebody. It is also recognized that he belongs to a whole which is itself an organ of the entire society and that he is entitled to earn in proportion to the comparative usefulness of this whole. Thus he commands the respect due to him in his social position.

The institution of Corporations corresponds, according to the assurance of capital, to the introduction of general use and private property in another sphere (see Remark to Paragraph 3).

When men are made about the history of the business classes and their passion for extra gain—how have their concomitant the corporation of capital and power (see Paragraph 24)—we must find that besides the other causes (e.g., increasing mechanism of labour) this phenomenon has an ethical ground, as was indicated above. Unless it is member of the third Corporation (which is only by being theorized that an association becomes a Corporation) an individual is bound to his dignity his isolation reflects his being more self-seeking and his livelihood and

of abstract right. In the Corporation these moments united in an inward fashion so that in this union particular well-being is present as a right and is actualized.

The sanctity of marriage and the dignity of Corporation membership are the two fixed points round which the organized moments of civil society revolve [A.]

256. The end of the Corporation is restricted and finite while the public authority was an external organization in doing separation and a merely latent dignity of outer and controlled. The end of the former and the external and relative dignity of the latter find their truth in the absolute unity of the end and its basis is actually. Hence the sphere of civil society passes over into the state.

The town is the seat of the civil life of business. There reflection rises, turns upon itself and pursues its meaning task. Each man maintains himself

246 This inner dialectic of civil society thus drives it—or at any rate drives a specific civil society—to push beyond its own limits and seek markets and its necessary means of subsistence in other lands which are either deficient in the goods it has over produced or else generally backward in industry &c

47 The principle of family life is dependence on the soil on land *terra firma* Similarly the natural element for industry animating its outward movement is the sea Since the passion for gain involves risk industry though bent on gain yet lifts itself above it instead of remaining rooted to the soil and the limited circle of civil life with its pleasures and desires it embraces the element of flux danger and destruction Further the sea is the greatest means of communication and trade by sea creates commercial connexions between distant countries and so relations involving contractual rights At the same time commerce of this kind is the most potent instrument of culture and through it trade acquires its significance in the history of the world

Rivers are not natural boundaries of separation which is what they have been accounted to be in modern times On the contrary it is true to say that they and the sea likewise link men together Horace is wrong when he says

*desis ab cdi
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The proof of this lies not merely in the fact that the basins of rivers are inhabited by a single clan or tribe but also for example in the ancient bonds between Greece and Magna Græcia between Brittany and Britain between Denmark and Norway Sweden Finland Livonia &c bonds further which are especially striking in contrast with the comparatively slight intercourse between the inhabitants of the littoral and those of the hinterland To realise what an instrument of civilization the link with the sea considers countries the industry flourishes and contrast the relation to the sea with that of countries which have eschewed the sea far from which like Egypt and India have become stagnant and sunk in the most frightful degradation Not only how all great progressive peoples press onward to the sea

48 This far flung connecting link affords the means for the colonizing activity—sporadic or systematic—to which the mature civil society is

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t h e l a b y t h e e s t r a g i g s e]

driven and by which it supplies to a part of its population a return to life on the family basis in a new land and so also supplies itself with a new demand and field for its industry [A]

249 While the public authority must also undertake the higher directive function of providing for the interests which lead beyond the borders of its society (see Paragraph 246) its primary purpose is to actualize and maintain the universal contained within the particularity of civil society and its control takes the form of an external system and organization for the protection and security of particular ends and interests *en masse* inasmuch as these interests subsist only in this universal This universal is immanent in the interests of particularity itself and in accordance with the Idea particularity makes it the end and object of its own willing and activity In this way ethical principles circle back and appear in civil society as a factor immanent in it this constitutes the specific character of the Corporation

(β) The Corporation

50 In virtue of the substantiality of its natural and family life the agricultural class has directly within itself the concrete universal in which it lives The class of civil servants is universal in character and so has the universal explicitly as its ground and as the aim of its activity The class between them the business class is essentially concentrated on the particular and hence it is to it that Corporations are peculiarly appropriate

251 The labour organization of civil society is split in accordance with the nature of its particulars into different branches The implicit likeness of such particulars to one another becomes really existent in an association as something common to its members Hence a selfish purpose directed towards its particular self interest apprehends and evinces itself at the same time as universal and a member of civil society is in virtue of his own particular skill a member of a Corporation whose universal purpose is thus wholly concrete and no wider in scope than the purpose involved in business its proper task and interest

252 In accordance with this definition of its functions a Corporation has the right under the surveillance of the public authority (a) to look after its own interests within its own sphere (b) to co-opt members qualified objectively by the requisite skill and rectitude to a

fact, for instance, or divine unity which has
no other returns either however

Let opinion, and their capriciously given expressions and abstract reasoning, proceeds to draw the logical inferences which descend to the absolutely divine principle of the state together with its majesty and also to the very free reason, when these abstracted decisions claim the power thereof afforded for the first time in human history the profoundest spectacle of the veritable free constitution.

Let alleged was purely rational basis, but it was only deductions that were being used. The idea was lacking and the experiment ended in the maximum of foolishness and terror.

Confronted with the claims made for the individual will, we must remember the fundamental conception that the objective will is rationality itself, either in conception, whether it be recognized or not by individuals, whether their claims be deliberate or not. We must remember that its opposite is knowing and willing subjective freedom (the real thing contained in the principle of the individual will) comprises only the moment and therefore the one-sided moment of the idea of the rational will, i.e. of the will which is rational solely because what it immediately contains is also its essence.

The exposition, taking of the state as something to be known and understood as expeditious rational is taking as eternal appearances—i.e. as agencies such as distress, need for protection, for riches, &c.—not as moments in the state but real development, but as its substance. Here again what counts is the guiding thread of discovery is the individual in isolation—not, however, even so much as the logical foundationably but instead only empirical individuals with their focused their accidental characteristics, their strength and weakness, riches and poverty, &c. This erroneous idea is erroneous both in its motive and rationality in the state and extending from apprehension of its upward nature has assumed ever been put forward in such an unadorned form as in Hervey-Haller's *Philosophie der Staatswissenschaft*. I say unadorned, because in all other cases grasp the essence of the state no matter on one-sided superficial principles, this very reason of comprehending the state rationally has been with thoughts, i.e. universal determinations. Hervey-Haller however with his eyes even, has not merely renounced the rational material of

which the state consists, as well as the form of the unit, but he has even gone on with passive fervor to inveigh against the form and the material to set aside. Part what Hervey-Haller assures us is the "widespread" effect of his principles, this *Rechtswissenschaft* and itself was it that, in his exposition, he has deliberately dispensed with the unit altogether and has deliberately kept his whole book all of piece with lack of the unit. For in this way he has eliminated the confusion and disorder which lessen the force of an exposition where the accidental is treated along with the essential, where the purely empirical and external are mixed with the universal and rational, and where in the midst of wretched lameness the reader is wearied and again reminded of the looser connection of the subject. For the same reason again his exposition is inconsistent. He takes as the

I have described the book sufficiently to show that

passages. This is how he lays down (vol. pp. 34 ff. [pp. 35 ff.]) his most important basic proposition: "Just as, in the moral world, the greater demands the less and the more the weaker, so in the animal kingdom, and then amongst men beings the same law appears in order (first, so sure in another) 'forms' and [p. 375] 'then there is the eternal moral order of God, the higher rules, must rule, and will always rule.' It is clear enough from this, let alone from what follows in the same sense 'might is taken here it is not the mix of justice and ethics but

in and through his relation to others who like him self are persons possessed of rights. The country on the other hand is the seat of an ethical life resting on nature and the family. Town and country thus constitute the two moments still ideal moments whose true ground is the state although it is from them that the state springs.

The philosophical proof of the

consciousness of its universality. This substantial unity is an absolute unmoved end in itself in which freedom comes into its supreme right. On the other hand this final end has supreme right against the individual whose supreme duty is to be a member of the state.

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mediation is now cancelled and the state has become directly present before us. Actually, therefore, the state as such is not so much the result as the beginning. It is within the state that the

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the state of ethical life acquires its infinite form which contains in itself the two moments (1) infinite differentiation down to the

which are its will in terms of thought

Sub section III

THE STATE

257 The state is the actuality of the ethical Idea. It is ethical mind *qua* the substantial will manifest and revealed to itself.

and judge and activity while self-consciousness in virtue of its sentiment towards the state finds in the state as its essence and the end and product of its activity its substantive freedom.

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58 The state is absolutely rational inasmuch as it is the actuality of the substantial will which it possesses in the particular self-consciousness once that consciousness has been raised to con

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pure and simple is the true content and aim of the individual and the individual's destiny is the living of a universal life. If further particular satisfaction activity and mode of conduct have this substantive and universally valid life as the starting point and their result.

Rationality taken generally and in the abstract consists in the thoroughgoing unity of the universal and the single. Rationality concrete in the state consists (a) of a content is concerned in the unity of objective freedom (i.e. freedom of the universal or substantial will) and objective freedom (i.e. freedom of every one in his knowing and in his volition of
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But if we ask what it has been the historical origin of the state? general still more if we ask about the nature of its particular state of its rights and institutions again if we inquire whether the state originally arose out of patriarchal conditions or out of force or trust or out of cooperation and official rights have been decided and consciously established while the things have been supposed to be positive divine right or contrary to custom and the question of no concern of the state of the state. Whether dealing with the philosophy of the state all these things appear and appear as if for matter so but so far as the state is anything at all it has a right with regard to the cases in which it is formed from the law authoritative within it.

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will be universal in the light of the universal and their activity is consciously aimed at none but the universal end. The principle of modern states has profound strength and depth because it shows the principle of objectivity to progress to its culmination in the extreme of self-

general identity but lives as simultaneously content, because in them this content is determined as quite general and is simply the fundamental principle. If both right and duty are the principle that men as persons, are free. Therefore, they have no duties because they have no rights, and vice versa. (Rights and duties are there in point.)

In the course of the inward development of the concrete Idea, however, as moments become distinguished and their specific distinctness becomes the simultaneous difference of content. In the family the content of the duties has father and children from the content of his rights against him the content of the rights of member of civil society is the same as the content of his duties to his prince and government.

This content of the universal identity and right is point of vital importance and in its inner strength is contained.

Duty abstracts from the particular, the personal interest and propensity of the particular interest, the ground that it is the essential, even the desecratable moment in his Idea. Duty taken concretely as Idea reveals the moment of particularity as itself essential and so regards its satisfaction as undeniably necessary. In whatever way an individual may fulfil his duty he must at the same time find his account therein and attain his

subjectivity itself.

5. In contrast with the spheres of private rights and private welfare (the family and civil

other hand, however, the end immanent within them and its earthliness in the unity of its own universal end and aim with the particular interest of individuals in the fact that individuals have duties to the state in proportion as they live within it against it (see Paragraph 155).

In the Remark to Paragraph 3 above reference was made to the fact that it was Montesquieu who all who in his famous work *The Spirit of Laws* kept

notion always treating the part as related to the whole.

Duty is primarily relation to something which from my point of view is substantive, absolutely universal. A right, on the other hand, is simply the embodiment of this substantive and thus is the particular interest of it and contains in particular freedom. Hence abstractly, right and duty appear parted off as different sides in different persons. In the state, as something ethical as the inner penetration of the substantive and the particular relation to what is substantive is the same time the embodiment of the particular freedom. This means that in the state duty and right are united in one and the same relation. But further, since none the less the distinct moments require in the state the same and really particular each and since there is the distinction between right and duty even here once again. It shows that while in only in the state, identical duty to the same time duty in content in the spheres of personal rights and morality necessary bearing of right and duty on another falls out of its determination and hence there is at that point only an abstract unity of content between them, i.e. in those abstract spheres, what is one man's right ought also to be another's, and what is one man's duty ought also to be another's. The absolute identity of right and duty in the state is present in these spheres as

individual so far as his duties are concerned, is in subjects his own member of civil society finds in fulfilling his duties to protect his person and property regard for his private welfare the satisfaction of the depths of his being the necessity and feeling of himself as member of the whole and, in so far as he can fulfil his duties by performing tasks and services of the state, he is upheld and preserved. Taken duty abstractly and the universal interest would consist simply in the completion of duties of the tasks and services which it exacts. [A.]

6. The ethical Idea as mind, which, under-lying itself and the two deal spheres of its content family and civil society enters upon its finite phase but it does only in order to rise above its idealism and become explicit as in finite actual mind. It is the reference to these deal spheres that the ethical Idea as upon the material of this finite actuality viz. human beings as a mass in such a way that the function assigned to any given individual is validly mediated by circumstances his capacity and his personal

See Hegel second footnote to the Remark to Paragraph —En.

259 The Idea of the state

(a) has immediate actuality and is the individual state as a self dependent organism—the *Constitution or Constitutional Law*

(b) passes over into the relation of one state to other states—*International Law*

(c) is the universal Idea as a genus and as an absolute power over individual states—the mind which gives itself its actuality in the process of *World History* [A]

A *Constitutional Law*

260 The state is the actuality of concrete freedom. But concrete freedom consists in this: that personal individuality and its particular inter-

ests not only achieve their complete development and gain explicit recognition for their right (as they do in the sphere of the family and civil society) but for one thing they also pass over of their own accord into the interest of the universal and for another thing they know and will the universal: they even recognize it as their own substantive mind: they take it as their end and aim and are active in its pursuit. The result is that the universal does not prevail or achieve completion except along with particular interests and through the co-operation of particular knowings and willings and individuals likewise do not live as private persons for their own ends alone but in the very act of willing these they

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ETHICAL LIFE

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will be universal in the light of the universal and their activity is consciously aimed at none but the universal end. The principle of modern states has prodigious strength and depth because it allows the principle of subjectivity to progress to its culmination in the extreme of self-subsistent personal particularity and yet at the same time brings it back to the substantive unity and so maintains this unity in the principle of subjectivity itself [A.]

26: In contrast with the spheres of private rights and private welfare (the family and civil

general identity but not as a similarity of content, because in this content is determined the general and is simply the fundamental principle of both right and duty i.e. the principle that men as persons, free-lives, themselves have and thus because they have rights, and vice versa. (Right is genuine duties relative to the person.)

In the course of the inward development of the concrete Idea however the moments become distinguished and their specific determinacy becomes at the same time difference of content. The finality of the content of good ties this together with the content of his rights against him the content of his rights of member in the society is the same as the content of his duties his principle of good remains.

This concept of the unity of duty and right is point of vital importance and in this inner strength of states is contained.

claims have direct the state in present on as they have rights against it (see Paragraph 155)

In the Remark to Paragraph 3 above reference was made to the fact that it was itself required above

note I always treat in the part in relation to the whole.

Duty is primarily related to something which from my point of view is substantive, absolutely universal. A right, on the other hand, is simply the embodiment of this substance and thus is the particular aspect of it and embodies my particular freedom. Hence it betrays levels, right and duty appear parted to different degrees in different persons. I take, for example, as something ethical, as the interpenetration of the substantive and the particular my obligation to what is substantive is the same in the embodiment of my particular freedom. This means that in the state of duty and right are united in one and the same relation. But further since the less the distinction in moments equally in the state the shape and reality peculiar to each and since there is the distinction between right and duty enters here once again, it follows that while both are in form identical, they in the same time differ in content. In the spheres of personal

individual so far as his duties are concerned, is in subjectivity but as member of civil society he is in fulfilling his duties to protect himself of his person and property regard of his private welfare the satisfaction of the depths of his being the consciousness and feeling of himself as a member of the whole and in so far as he completely fulfils his duties by performing tasks and services of the state he is upheld and preserved. The duty abstractly of the universal interest would consist simply in the compliance as duties of the tasks and services which it exacts [A.]

62 The actual Idea is mind, which sunders itself into the two ideal spheres of its concept family and civil society. It is upon its finite phenomena but it does not only in order to rise above its idealism and become explicit as in finite actual mind. It is therefore that these ideal spheres that the actual Idea as grasps the material of this is finite actuality i.e. human beings as a mass in which a way that the function assigned to any given individual is visibly manifested by circumstances his caprice and his personal

See Hegel second footnote to the Remark to Paragraph 7 — 20

choice of his station in life (see Paragraph 185 and the Remark thereto) [A]

63 In these spheres in which its moments particularity and individuality have their immediate and reflected reality mind is present as their objective universality glimmering in them as the power of reason in necessity (see Paragraph 184) i.e. as the institutions considered above [A]

264 Mind is the nature of human beings *en masse* and their nature is therefore twofold (1) at one extreme explicit individuality of consciousness and will and (ii) at the other extreme universality which knows and wills what is substantive. Hence they attain their right in both these respects only in so far as both their private personality and its substantive basis are actualized. Now in the family and civil society they acquire their right in the first of these respects directly and in the second indirectly in that (1) they find their substantive self-consciousness in social institutions which are the universal implicit in their particular interests and (ii) the Corporation supplies them with an occupation and an activity directed on a universal end.

65 These institutions are the components of the constitution (i.e. of rationality developed and actualized) in the sphere of particularity. They are therefore the firm foundation not only of the state but also of the citizen's trust in it and sentiment towards it. They are the pillars of public freedom since in them particular freedom is realized and rational and therefore there is *implicitly* present even in them the union of freedom and necessity [A]

266 But mind is objective and actual to itself not merely as this necessity and as a realm of appearance but also as the ideality and the heart of this necessity. Only in this way is this substantive universality *aware* of itself as its own object and end with the result that the necessity appears to itself in the shape of freedom as well.

267 This necessity in ideality is the inner self-development of the Idea. As the substance of the individual subject it is his political sentiment [patriotism] in distinction therefrom as the substance of the objective world it is the organism of the state i.e. it is the strictly political state and its constitution [A]

268 The political sentiment patriotism pure and simple is a *sure* conviction with truth as its basis—mere subjective assurance is not the outcome of truth but is only opinion—and a volition which has become habitual. In this sense it is simply a product of the institutions subsisting in the state since rationality is *actually* present in the state while action in conformity with these institutions gives rationality its practical proof. This sentiment is in general trust (which may pass over into a greater or lesser degree of educated insight) or the consciousness that my interest both substantive and particular is contained and preserved in another's (i.e. in that state's) interest and end i.e. in the other's relation to me as an individual. In this way this very other is immediately not an other in my eyes and in being conscious of this fact I am free.

Patriotism is often understood to mean only a readiness for exceptional sacrifices and actions. Essentially however it is the sentiment which in the relationships of our daily life and under ordinary conditions habitually recognizes that the community is one's substantive ground and end. It is out of this consciousness which during life's daily round stands the test in all circumstances that there subsequently also arises the readiness for extraordinary acts. But some men would often rather be magnanimous than law-abiding—they readily persuade themselves that they possess this exceptional patriotism in order to be spared the expression of genuine patriotism or to excuse their lack of it. If again this genuine patriotism is looked upon as that which may begin of itself and arise

269 The patriotic sentiment acquires its specifically determined content from the various members of the organism of the state. This organism is the development of the Idea to its differences and their objective actuality. Hence these different members are the various powers of the state with their functions and spheres of action by means of which the universal continually engenders itself and engenders itself in a necessary way because their specific character is fixed by the nature of the concept. Through out this process the universal maintains its identity since it is itself the presupposition of its own production. This organism is the constitution of the state [A]

270 (1) The abstract actuality or the substantiality of the state consists in the fact that its end is the universal interest as such and the conservation therein of particular interests since

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 l res th d m d th t ev rythi g lse sh ll be see
 i f corroborati

ti d the s prem blig t ri ess, bec rt lit

and f rth r t ts with pr ci e knowledg o
 xisting c diti ns and circum tances una much
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Th is th pla t all d t th rel ti f th
 tat t lgn beca se it is ft retrated wa
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 cause th se wh m k this ass rti ve h e th
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1

d th t peopl re ref rred t as sol ce f
 f wr g as h pe in mpe sati f l us
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 Geist der der B l t h s) religi m som times
 b l k d po as m m di g d wright indiffer
 ence t rthly t rests th m ch f ent and
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this f rm f exp and mak it th th nty
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 must bec m prey t weakness insecurity and
 See Enc [ed] § 453 [3rd edn § 553]
 Relg k ledge d sci ce h as th pri ci
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ETHICAL LIFE

overought f the higher state officials Doctrin as
d mai in consci nce and falls

But since th ch rch was p erty and carnes
severely he practice f w rship and since th ref re

1

course that churches have managed f ex up with
minut rs and property from th power and juris-
dictio f th stat d they ha eve arrogated to
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mental ends. It ma take itself t be th kingd m
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k -

lition f the al ve-trade was being pressed with great

* d manhood so far from being mere superficial,
fact uality (see R mark F ragraph 09) is
the contrary use f the basis f the fact t a ha ci d
his ronse the possessors is the feeling f oneself
com m ci l some y person with rights d
th feelis f wel hood, and f ee from all r-
nicious the root from which the desired simil
m disposuo ad ys f thinking comes into being. T
exid se the Jew from ci d gh on the ther hand
ould rathe be to confirm the isolation th huch they

principl f ts wn, and with even better justifica-
ti may regard themsel ves as occupying th po-
ti which th church laims. H ce science also
may in th same way demand t be independent f
the stat which is then pposed t be m remeans
with the tak f pr viding f science as th gh
sci ce w re an end in itself

Furth f d t rmining th relatu betwee
ch rch and stat t makes diff re whether th
leaders f co gregati ns and vid als rdu ed t
th service f th church feel impelled to w thdraw
from th tat and lead sort f sed ded hif f
ther wn so that nly th the church mbers
are bject t th stat control, wh ther they re-
main within th stat except in th capacity as ec-
clesiastics, capacity which they take t be b t ne
end f their hif Th mo t striking thing bo t such

a conception of the church's relation to the state is that it implies the idea that the state's specific function consists in protecting and securing everyone's

simply as an organization to satisfy men's necessities. In this way the element of absolute truth of mind in its higher development is placed as subjective religious feeling or theoretical science beyond the reach of the state. The state, as the laity pure and simple, is confined to paying its respects to this element and so is entirely deprived of any

their seat only in the church, while the state was a mere mundane rule of force, caprice and passion. At such times it was the abstract opposition of state

situation is the one which truly corresponds with the Idea. The development of this Idea has proved this rather to be the truth that mind as free and rational is implicitly ethical, while the Idea in its truth is rationally actualized, and thus it is which exists as the state. Further, this Idea has made it no less clearly evident that the ethical truth in it is present to conscious thought as a content worked up

ness and in accordance with principles. Now, as I said earlier, religion has the truth as its universal subject matter, but it possesses it only as a *given* content which has not been apprehended in its fundamental characteristics as a result of the *logical* use of concepts. Similarly, the relation of the individual to this subject matter is an obligation grounded on authority, while the witness of his own spirit and heart is that wherein the moment of freedom resides is faith and feeling. It is philosophy which sees that while church and state differ in form, they do not stand opposed in content for truth and rationality are the content of both. Thus, when the church begins to teach doctrines (though there are and have been some churches with a ritual only and others in which rituals are the chief thing, while doctrine is a *more* educated consciousness are only secondary) and when these doctrines touch on objective principles, on thoughts of the ethical and the rational, then the expression *ecclesia* brings the church into the domain of the state. In contrast with the church's faith and authority in matters affecting ethical principles and fitness laws, institutions, in contrast with the church's subjective

conviction, the state is that which knows. Its principle is such that its content is in essence no longer clothed with the form of feeling and faith but is determinate thought.

If the content of absolute truth appears in the form of religion as a particular content, i.e., as the doctrines peculiar to the church as a religious community, then these doctrines remain out of the reach of the state (in Protestantism they are out of the reach of priests too because, as there is no last, there is no priesthood to be an exclusive depository of church doctrine). Since ethical principles and the organization of the state in general are drawn into the domain of reason and not of faith, but also should be established by reference thereto, this reference gives religious credentials to the state itself. On the other hand, however, the state retains the right and the form of self-conscious, objective rationality, the right to make this form count and to maintain it against pretensions proceeding from truth in a subjective dress, no matter how such truth may girdle itself with certitude and authority.

The state is universal in form, a form whose essential principle is thought. This explains why it was in the state that freedom of thought and science had their origin. It was a church, on the other hand, which burnt Giordano Bruno, forced Galileo to recant on his knees his exposition of the Copernican view of the solar system, and so forth. Science too

p f e e m p r i m t O e f t h a t r o g e s t o l

sec d i m u d t h r e t f t h p e l t y f i e d f a r e
l p t h e s y H w m d t g a b j
t i f t h f l l w i g t r m s I C l e o p p e l i g
p e r s o b e l r e t h c o t i m y s e t t h y e a k n e e l e
d w t h m y y e a t h h i y G o p e l w h h i h o l d
m y h d a b j r e d a m d e c t w i t h m b l
b r t l t b e l f t h e b d f l s e d h t a l
d o c t f t h m i f t h h W h t p e c
t c l i A a g e d b l m f m h g h t i g

ETHICAL LIFE

reference has its place in and in the same way that in the ethical life of man it is essential that the firm belief in the truth of the Christian faith be the basis of the ethical life.

271 The constitution of the state is the first place the organization of the state and the related process of its organic life a process whereby it differentiates its moments with

it turns it differentiating activity out and and accordingly establishes within itself the identity of its subjugating inward differentiations. [1]

1 The Const t 1 o (o is internal side o)

27 The constitution is rational insofar as the state now rationally differentiates and determines its activities in accordance with the nature of the concept. The result of this is that each fifth of the power is in itself the totality of the constitution because each contains the other more or

hold good as direct truth

M is may l, be mad f th ty f tate
 and ch h — f uri t p f mod r n discus-
 s and h d p by som as th highest f d l
 Whl ta and ch rch esse tuall truth
 f p cpl d dispositi t is less esse tuall
 th de p t thus unity th d t n t b t we t h t h e t h e i r
 f r m s f n s u s e s s b o l d b e x t r n a l i z e d a s
 d i s t i n c t b e t w e e t h u r p e c i a l m d e s t i c e
 T h u s f e n d e r e d u n i t y f r c h a n d t a t a s f d
 d r i t a l d e p o t m s b t a n r i t a l d e p o t i s m
 t t a t t a n y r a t t h s e l f c o n s c i u s
 f r m f t a t h a c h i s l w r t h y f m u n d t h
 f r m w h i c h a r g u m e n t a l l d l o p e d d h e r t h r e
 v e h i s d f r e e t h a l f h f r t h i f t h a l
 m i n t i s t a s t h s e l f h o n o r e t h a l

wh le

In ur day ther has om bef th p bl an
dless m t f b bbl bo t th nstut t
bo t reaso tself and th talfest b bbl f l l b
bee prod ced in Germ th nks t th wh
ha pereu d d them es th t thev b th best
th sol und rst d g f wh t
t is Else b partucul lyng rom is m
und rstandin as suppo d t reu n A d these g
them re m d th t they h an ass. ila l
tificati f wh t th y say because th l um
that l m and p ty ar th bass f l l th shal
l w thinking f th urs l t as w der th t this b b
bl has mad reasonabl men t sick l th ds
reaso l hit m t "night &c. as f th
w rds t t t d freed m d m
ms hit l l be h m d wt g discuss in th

See P. 171 phs 75 300 d 69—E.

constitution of the state at all! However we may at least hope that this surfeit will be effective in producing the general conviction that philosophical knowledge of such topics cannot arise from argument.

and the knowledge of truth a wild goose chase will

mere edification in whatever the orthodoxy of these theories can pretend to notice from philosophy.

Amongst current ideas mention may be made (in connexion with Paragraph 269) of the necessity for a division of powers within the state. This point is of the highest importance and if taken in its true sense may rightly be regarded as the guarantee of public freedom. It is an idea however with which the very people who pretend to talk out of their inspiration and love neither have nor desire to have any acquaintance since it is precisely there that the

ed But when the abstract Understanding handles it it reads into it the false doctrine of the absolute self-sufficiency of each of the powers against the others and then it sidesly interprets the relation to each other as negative as a mutual relation. This view implies that the attitude adopted by each power to the others is hostile and apprehensive as if the others were evils and that the function is to oppose one another and a result of this counterpoise to effect an equilibrium of the whole but never in unity. It is only the inner self-determination of the concept not any other consideration whether of purposes or advantage that is the absolute source of the division of powers and in virtue of this alone is the organization of the state something inherently rational and the image of eternal reason.

How the concept and then more concretely how the Idea determine themselves in actually a division of powers at their moments—universal particularity and individuality—abstraction from one another is describable from my logic though not of course from the logic current elsewhere. To take the merely negative as a starting point and to exalt to the first place the volition of evil and the must of this volition and then on the basis of this presupposition only to construct ideas whose efficiency simply necessitates error and dikes of gainst them is characteristic in the height of the negative Understanding and in entrenchment of the outlook of the rabble (see Paragraph 244).

If the powers (e.g. what a called the Executive and the Legislature) become self-subsistent then as we have recently seen on a grand scale the destruction of the state is forthwith a fait accompli.

CI Metesque Th Sp t J Laws 16—E

defective and so secures the bare essential maintenance of the state [A]

73 The state as a political entity is thus cleft into three substantive divisions

(a) the power to determine and establish the universal—the Legislature

(b) the power to subsume single cases and the spheres of particularity under the universal—the Executive

(c) the power of subjectivity as the will with the power of ultimate decision—the Crown. In the crown the different powers are bound into an individual unity which is thus at once the apex and basis of the whole i.e. of constitutional monarchy.

The development of the state to constitutional monarchy is the achievement of the modern world a world in which the substantial Idea has won the infinite form of subjectivity—see Paragraph 141. The history of this inner deepening of the world-mind—or in other words this free maturation in course of which the Idea realizing rationality in the external releases its moments (and they are only its moments) from its limitations and just for that reason still retains them—the deal unity of the concept—the history of this genuine formation of ethical life—the content of the whole course of world history.

The ancient division of constitutions into monarchy aristocracy and democracy is based upon the notion of abstractly universal and particularity which has not yet come to its necessary differentiation (to a mutually internal organization) and which therefore has not yet attained depth or concrete rationality. From the standpoint of the ancient world therefore this division is the true and correct one since for a unity of that sort is but a type a unity inwardly too immature to have attained its absolute fully completed development. Difference is essentially next difference a lapse at first as a difference in the number of these.

It is that subterranean unity supposed to be permanent. The forms which on this principle bring different spheres are given in their momentary the humbler position of moments in the state. The monarch is a single person whose coming to the throne is the election and the many are the will of the people. But as he is elected purely on that election like the other is only superficial and does not afford the concept of the thing. Equally inadequate is the measure of temporary talk about the democratic and aristocratic moment in monarchy because where the elements peculiar in such talk are found in a monarchy there is

See E [ted] §§ 33 ed § 97
CI P 11 79 6 ff—E
I g Prag h 14—Ed

no longer anything democratic aristocracy be t
 L. em. There are t f con. tit ti ns in which
 th stat is portrayed from top to b tt mas an b-
 struct which is supposed t rul d command
 and h w many individuals are t th head f such
 state, wh ther few all, b q esio l f t
 undecided and regarded as malt f indifference
 (Eg l All these f rms, says Fichte, re ju. ta
 fied, provided there be an eph rat (schem d
 vied by Ficht t be counterpoise t th chief
 rous th stat) and may be th means f

f rm f ratu nal law other than th f rm f senti
 ment is required, because virtue in th h ds of the
 state is t gh f th stat as wh l ist ga
 th pow t en t disrupt d to best wo the
 powers of particulanty ow becom m t re both
 their positive and their egative rights. Similarly we
 must rem ve th musu d rstanding f supposin,
 that because th sentim t f virtuel th bsta
 tial f rm f democratic rep blic, t is ev d thly su
 pe fi us in mo archy o eve bsent from t ft
 gether and, finally we may ot suppose that th
 is an pposit and in mpatibility between ur
 t and th legally d terminat re cy f state
 whose rganizatio is f lly articulated.

Th f ct that "mod ratio is cited as th princi-
 pl f nstocracy implies th beginning at this
 point f d rce between p bli a th rity and pri
 vat int rest. And yet t th sam tim these t h
 each ther so directly that ths con. tit ti by its
 very nat ta ds the verge f fape g f rthwith
 int t ran y narch —th harness of political
 co ditions—and so int self-annihilation. See Ro-
 ma history f example.

Th f ct that M tesquieu discerns h r" as
 th princip f monarch t ce mak t lear
 that by "m narch h und rstands, t th pain

tracted in meaning b: being defined as an *essence*
 for parity with aristocracy and democracy)
 B t th Idea is undiff rent t them t in Ficht

will, h re again as in so many h places, w
 m. st rec rnar the depth f M tesquieu insight
 in his ow fam us treatment f th bas principles
 f these f rms f go rum t. T rec gniz th
 curacy f his coo t, h w r w must t mis-
 derst d it As is well kn wn h b ld th t "ur
 was th princip f democracy (and rightly)
 u t m f ct th case that that type f constit
 rests sentim t e. th purely b ntial
 f rm in which th ratu ality f th bsol t will
 still exist in democracy B t M tesquieu goes t
 say that in th se ren ee th se tury Eng. and pro-
 vided fin pectad f th way in which f rts
 f und democracy w re re dered in flect ve by
 lack f rt in th leaders And raim h dds
 "when virt anishes f m th republ amb ti
 ers hearts which are capabl f t and greed mas-
 ters every so that th tat becomes every
 booy and t strength w consists nly in
 th po f f w citizens and th licen f all
 lk These qu tati ns call f th mment that in
 m re ma re social co ditions d benth powers
 f p rucula y ha d loped and becom free
 Scienc f R gh [§ 6 sub-secu o p 8]
 Deret
 Cf M tesquieu *Tke Sp f Law* lil. 3 See Re-
 mark f R raph 85—E

tat t —eth

An th q esti readily presents tselh Who
 is to fram th const t ti ? This quest seems
 clear b t close inspecti sh ws t that t is
 meaningless, f t presupposes that there is co
 st t ti th re b t nly ggl m ratio f t m
 ind r d als H w an exl m ratio of d d d a.
 co ld equare nstut wh t er t matically
 by someo aid wh ther as prese t b
 f rce by th ught t w uld ha t be ll ed t
 settl f tsel sun with an p lom ratu th co
 cept has thng t d B t f th q est presup-
 poses an lead exsistent const t ti then t is t
 bo t fram b t nly bo t alt ng th tit
 ti n, and th ery pres pposit f n. tit t
 directly implies that t alt ratio may com bo t
 nl by constit ti nal means I case h w r
 t is bsol t v essential th t th constit b ld
 t be regarded as som thin m d even th uch it
 has com unt being in tim It must be tre ted
 rath as som thing impl exsistent in and b tsel

Cf M tesquieu *Tke Sp f Law* lil. 5—Eo

—E

—Eo

See Paragraph 7 —Eo

as divine therefore and constant and so as exalted above the sphere of things that are made [A]

4 Mind is actual only as that which it knows itself to be and the state as the mind of a nation is both the law permeating all relationships within the state and also at the same time the manners and consciousness of its citizens. It follows therefore that the constitution of any given nation depends in general on the character and development of its self-consciousness. In its self-consciousness its subjective freedom is rooted and so therefore is the actuality of its constitution.

The proposal to give a constitution—even one more or less rational in content—to a nation *a priori* would be a happy thought overlooking precisely that factor in a constitution which makes it more than a *ens rationis*. Hence every nation has the constitution appropriate to it and suitable for it [A]

(a) The Crown

2/5 The power of the crown contains in itself the three moments of the whole (see Paragraph

112) (α) the *universality* of the constitution and the laws (β) counsel which refers the particular to the universal and (γ) the moment of ultimate decision as the *self-determination* to which everything else reverts and from which everything else derives the beginning of its actuality. This absolute self-determination constitutes the distinctive principle of the power of the crown as such and with this principle our exposition is to begin [A]

76 (1) The fundamental characteristic of the state as a political entity is the substantial unity i.e. the ideality of its moments (α) In this unity the particular powers and their activities are dissolved and yet retained. They are retained however only in the sense that their authority is no independent one but only one of the order and breadth determined by the Idea of the whole from its might they originate and they are its flexible limbs while it is their single self [A]

77 (β) The particular activities and agencies of the state are its *essential moments* and therefore are proper to it. The individual functionaries and agents are attached to their office not on the strength of their immediate personality but only on the strength of their universal and objective qualities. Hence it is in an external and contingent way that these offices are linked with particular persons and therefore the func-

tions and powers of the state cannot be private property [A]

2/8 These two points (α) and (β) constitute the sovereignty of the state. That is to say sovereignty depends on the fact that the particular functions and powers of the state are not self-subsistent or firmly grounded either on their own account or in the particular will of the individual functionaries but have their roots ultimately in the unity of the state as their single self.

This is the sovereignty of the state at home. Sovereignty has another side i.e. sovereignty *vis-à-vis* foreign states on which see below.

In feudal times the state was certainly so *vis-à-vis* other states at home however not only was the monarch not sovereign at all but the state itself was not sovereign either. For one thing the particular functions and powers of the state as a civil society were arranged (compare Remark to Paragraph 273) into independent Corporations and societies so that the state as a whole was rather an

was left to the crown opinion and caprice.

The idealism which constitutes sovereignty is the same idealistic as that in accordance with which the so-called parts of an animal organism are not parts but member-moments in an organic whole whose isolation and independence spell decay. The principle here is the same as that which came before us (see Paragraph 7) in the abstract concept of the will (see Remark to Paragraph 279) as self-related negativity and therefore as the universality of the will determining itself to individuality and so excluding all particularity and determinacy as the absolute self-determining ground of all volition. To understand this one must have mastered the whole conception of the substance and genuine subjectivity of the concept.

The fact that the sovereignty of the state is the ideality of all particular authorities within it gives rise to the easy and all very common misunderstanding that this ideality is only might and power a barrenness while sovereignty is a synonym for despotism. But despotism means any state of affairs in which has disappeared a whole the particular will as such whether of a monarch or a mob (ochlocracy) counts as law rather takes the place

spheres and functions. That is to say, we bring it about that each of these spheres not as something independent of itself but as its moment and medium of its own functioning is related to itself by itself in these immanent and mediated spheres which is determined by itself.

P. 2. ph. 3. ff.—F.
See E. [1. ed.] § 293 [3 d d § 37]

as divine therefore and constant and so as exalted above the sphere of things that are made [A]

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The fact that the sovereignty of the state is the identity of all particular authorities with nature rises to the easy and also very common mistake of stating that this identity is only might and power arbitrariness while sovereignty is a synonym for despotism. But despotism means any state of affairs where law has disappeared and where the particular will as such whether of a monarch or a mob (mobocracy) counts as law. It rather takes the place of law while it is precisely in legal conflict with the government that sovereignty is to be found as the moment of reality—the identity of the particular phases and functions. That is to say sovereignty begins about that each of these phases is not something independent as if subsistent in itself and made of other things something grounded solely in itself but that each of them in these phases and moments is phase each is determined by a definite

pendent. I am of the w. o. (the sum which has been determined in general terms by L. rather than by specific "w. o. v. f. h. stat.")

The Islamicists themselves in two ways (1) is their peace to particular spheres and functions from the path of Islam. Their political aims and transfer to the business and is in part job was for the unconscious society of the time to be seeking. I turned in to the to recognize, social comfort and the comfort to be (see Paragraph 3) In part, however it is the direct in the Islamicist. Their last few are able to control from the back to the Islamic which is restricted accord with (see Paragraph 5) but are also constrained to perform direct services for the support of the Islamic.

"(7) I envision a league however whether or not it runs along the lines of which have particular members fused in the same concept of sovereignty. The sovereign is entrusted with the salvatio fit et ille sacra for those particular names whose powers we want it over time, and it is then that that deity constant is power itself (see Paragraph 3)

2. () So essentially I first simply take the
thought of this death comes into exist-
ence as subjectivity sure of itself and it
will be fact and to that extent unrounded
self-determination in which finally I deci-
de not. This is the initial individual aspect
of the idea and in virtue of this alone is the
idea one. The truth of subjectivity however is
and only in subject, and this truth of per-
sonality and in person and in a situation
in which has become measure as realization of
rationality even if it were in terms of the
concept has a explicitly actual and explicit
formation. It thus becomes death a mo-
ment of the world and individuality in gen-
eral but since individuality is more arch

The immediate development of science to der-
rive its entire content from the concept in
its totality (science to raise a question, which ever
its men does not deserve the name of philosophical
science) exhibit the peculiarity that and
the same concept—the will in this instance—which
begins by being abstract (because it is in the begin-
ning) maintains its identity even when it consoli-
dates its special determinations, and that too so early
by its own character and in this way gains concrete
content. Hence it is the basic in men if personally
abstract it starts in immediate reality, which has
materialized itself through its own self (forms of be-
haviour and now—at the time of labour, rights,
of the state) in complete concrete objectivity
the will—has become the personality of the state
its certainty of self. This last reabsorbs all content

Heped elimination. removal as synthesis in the Pref
ack to the PA ph / R M—En.

It is never personal. LL

co-ordinating the various points of view and deductive argu-
 mentation. Consequently the truth is the dignity of
 the march as something deduced, not only in its
 form, but in its essence. The truth is however that
 it is something deduced but parcel of our
 nature is precisely the co-ordinate form. After
 then, it was reasonable to the idea of treating the
 march as it is grounded in the unity of
 God since it is in its dignity that is unconditional
 character is co-ordinated. We are familiar however
 with the mind standards connected with this idea
 and it is precise, this is in the element which is
 the task of philosophy to treat in a comprehensive

I may speak of the sovereignty of the people in the sense that an people who ever is self-governing, that is, the people of Great Britain, as I was, like the British people, for instance, with the peoples of England, Scotland, Ireland, the peoples of Venice, Genoa, Civlona, &c., are sovereign peoples, that is, that they have ceased to have any other supreme government than their own.

W may also speak of sovereignty in b m affairs
res. in th peop. provided that w re speak
ing ge. all bo t th wh l stat and mean.
- I wha was sh wn bore (see Paragraphs

as divine therefore and constant and so as exalted above the sphere of things that are made [A]

4 Mind is actual only as that which it knows itself to be and the state as the mind of a nation is both the law permeating all relationships within the state and also at the same time

It depends in general on the character and development of its self-consciousness. In its self-consciousness its subjective freedom is rooted and so therefore is the actuality of its constitution.

The proposal to give a constitution—even one more or less rational in content—to a nation *a priori* would be a happy thought overlooking precisely that factor in a constitution which makes it more than an *ens rationis*. Hence every nation has the constitution appropriate to it and suitable for it [A]

(a) The Crown

25 The power of the crown contains in itself the three moments of the whole (see Paragraph 1) viz (α) the universality of the constitution and the laws (β) counsel which refers the particular to the universal and (γ) the moment of ultimate decision as the self-determination to which everything else reverts and from which everything else derives the beginning of its actuality. This absolute self-determination constitutes the distinctive principle of the power of the crown as such and with this principle our exposition is to begin [A]

6 (1) The fundamental characteristic of the state as a political entity is the substantial unity i.e. the ideality of its moments (α) In this unity the particular powers and their activities are dissolved and yet retained. They are retained however only in the sense that their authority is no independent one but only one of the order and breadth determined by the Idea of the whole from its might they originate and they are its flexible limbs while it is their single self [A]

77 (β) The particular activities and agencies of the state are its essential moments and therefore are proper to it. The individual functionaries and agents are attached to their office not on the strength of their immediate personality but only on the strength of their universal and objective qualities. Hence it is in an external and contingent way that these offices are linked with particular persons and therefore the func-

tions and powers of the state cannot be private property [A]

8 These two points (α) and (β) constitute the sovereignty of the state. That is to say sovereignty depends on the fact that the particular functions and powers of the state are not self-subsistent or firmly grounded either on their own account or in the particular will of the individual functionaries but have their roots ultimately in the unity of the state as their single self.

This is the sovereignty of the state at home. Sovereignty has another side i.e. sovereignty vis-à-vis foreign states on which see below.

In feudal times the state was certainly sovereign vis-à-vis other states at home however not only was the monarch not sovereign at all but the state itself was not sovereign either. For one thing the particular functions and powers of the state and civil society were arranged (compare Remark to Paragraph 273) into independent Corporations and societies so that the state as a whole was rather an aggregate than an organism and for another thing office was the private property of individuals and hence what they were to do in the public capacity was left to their own opinion and caprice.

The idealism which constitutes sovereignty is the same idealistic as that in accordance with which the so-called parts of an animal organism are not parts but members—moments in an organic whole whose isolation and independence spell disaster. The principle here is the same as that which came before us (see Paragraph 7) in the abstract concept of the will (see Remark to Paragraph 279) as self-related negativity and therefore as the universality of the will that maintains itself to individuality and so can cell-generate particularly and determine as the absolute self-determining ground of all volition. To understand this necessity have mastered the whole conception of the substance and genuine subjectivity of the concept.

The fact that the sovereignty of the state is the ideality of all particular authorities within it gives rise to the easy and loose common misunderstanding that this ideality is only might and power arbitrary as the sovereignty is a *synonym* of despotism. But despotism means any state of affairs where I have appeared.

As sovereignty is to be found as the moment of ideality—the ideality of the particular spheres and functions. That is to say it is arbitrary at but that each of these spheres is not a *synonym* of despotism. If substituted in the moment of world-essence then the immediate ideality in it is but that in that essence these moments and moments are each determined by the

Principle of the state—F
See *Encyclopedia* § 93 [3 d d § 371]

— > m d) po t in its f'ou This aspect h we ver is nly
consequ ential and to mak t th reaso f r heredi
tary successuo is t drag d w th majesty of th
thro i t th ph re f argumentat t ign re
instru charact as ungr ded immediacy and
w d ess. d t base it t o th Idea

has been renounced, since truth is all — f
f co cent and exist nce (see Paragraph 3) Since
th l derst ding has mne consens us ess f
t us unity and refuses t m r bevo d th separa
tio f these tw m m ts f th truth t may pe
haps, so far as God is co cerned till permit 'faith
m ths unity B t once th dea f th m narch is
rewards as being quit familia t rinary co
sciousness, th l d rstanding lings b re all th m re
tenacit y t t is separatism and th co clus ns
hich ns as t ratiocin ti n ded ces therefrom. As
result, t d mes that th m ment f ultimat de
cise in th tat is linked implicitl d ctually
(ie in th rational co cept) with th immediat
hurling f th m narch C nsequen tly t m f rs,
first that ths link is m tt f co dent and fur
ther—since it has claimed that th bool t di verity
of these mom ts is th rational thing—th t su h
link is urra nal and then there f low th th de
duct n disruptive f th Idea f th tat [A.]

3 B th m ments in their undi ded unity—

(a) the will's ultimate ungr unded s lf and (b)
theref e is unilly ungr unded bjects r
em enc (just e being the category which
is t b m in nature)—co titut the Idea of
someth g gainst wh h capric is powerless
th majesty f th m narch In ths unity bes
t actual unity of th t t e d t is only
th ough ths is inw dand o tw dumm dacy
that t e unity of the t t is ca red from the risk
f being drawn down into th sphere f particu
larity and t caprices ids and opini ns and
sa ed too from th wa f f ctu ns round the
t r d f om the enfeeblement and ove
throw f th pow f the stat

Th rights f birth and inh tance consti t th
basis f legitimacy th basis f right t purely
posi ve b co tained in th Idea.

If success th thro is rigidly determined,
as it is b hereditary then f ctu is bviated t
demise th crown this is aspect f hereditary
success and t has l n bee right t essed as

Cf Ka C qv f Par R ut p. —Ed
See the reference als d p p p t in the Remark to
the ne P r r h h.—Ed
See F ragra h 35.—Ed.

ct ma of co rse be dec.

term B t ther m du terms re equally ail
bl and so theref re re diff rent co clus ns, and
t is l too well kn wn what co clus ns h ve in
f ct been drawn from this "a lf re f th peopl
(sol t d p p l) Hence th m jesty of the m
arch is t p f th ghtful treatment b philoso
phy also m ce every m thod fanquary therthan
th peculiat e m thod f th infinit Idea which is
purely self grounded, nnulls th nat re f majest
altogether

An elective m narchy seems f co rse t be th
tira which superficial

It is truer t say that elective m narchy is th
w rst f instit ti ns, and its results suffice f re val
this to ratiocinats T ratiocin ti b wver these
results ha v th ppearance f som thng m rely
posibl d probabl th ough they are in f ct in
h re t in th very essence f this instit tion. In an

is that th particular S es f tat t m int pri
vat property th so re gntly f th tat is
weebled d lost d finally th tat disintegrates
within and is verthrown from with t. [A.]

3 The right t pardon criminals arises f om
the co e ighty f the m narch, m e t is this
alo e wh h is empowered to actualize mind's

See Rema k t P ragraph 3 —Ed

In the sect on C d Socy see -G, F ragraphs
33, nd —t

Cf Hegel Phil 34 J H ry p 355 —Ed

278) namely that it is to the state that sovereignty belongs

The usual sense however in which men have recently begun to speak of the sovereignty of the people is that it is something opposed to the sovereignty existent in the monarch. So opposed to the sovereignty of the monarch the sovereignty of the people is one of the confused notions based on the wild idea of the people. Taken without its monarch and the articulation of the whole which is the indispensable and direct concomitant of monarchy the people is a formless mass and no longer a state. It lacks every one of these determinate characteristics—sovereignty government judges magistrates class divisions &c—which are to be found only in a whole which is inwardly organized. By the very emergence into a people's life of moments of this kind which have a bearing on an organization on

republican form of government or to speak more specifically (since under republics are comprised all sorts of other mixed forms of government which are purely empirical let alone irrelevant in a philosophical treatise) a democratic form then all that is needed in reply has been said already (in the Remark to Paragraph 273) and besides such a notion cannot be further discussed in face of the Idea of the state in its full development.

If the people represented neither as a patriarchal clan nor as living under the simple conditions which make democracy or aristocracy possible as forms of government (see Remark to Paragraph 273) nor as living under some other unorganized and haphazard conditions but instead as an inwardly developed genuinely organic totality then sovereignty is the essence of the personality of the whole and this personality is therein the real existence adequate to its concept as the person of the monarch.

At the stage at which constitutions are divided as above mentioned into democracy aristocracy and monarchy the point of view taken is that of a still substantial unity but given itself without having yet embarked at its finite differentiation and the plunging of its own depths. At that stage the moment of the final self-determining decision of the will does not come in the sense explicitly in its own proper actuality. Its organic moment immanent in the state none the less enters in the comparatively immature constitutional forms there manifest as individuals at the head. Leaders must either be available already as they are in monarchies of that

powers which remains undifferentiated this subjectivity of decision is inevitably either contingent in its origin and appearance or else is in one way or another subordinate to something else. Hence in such states the power of the leaders was conditioned and only in something beyond them could there be

with which the state is concerned. Here lies

&c. It was when men had not yet plumbed the depths of self-consciousness or risen out of their undifferentiated unity of substance to their independence that they lacked strength to look within their own being for the final word.

In the divine sign of Socrates (compare Remark to Paragraph 138) we see the will which formerly had simply transferred itself beyond itself now beginning to apply itself to itself and so to recognize its own inward nature. This is the beginning of a self-knowledge and so of a genuine freedom. This realized freedom of the Idea consists precisely in going to each of the moments of rationality its own self-conscious actuality here and now. Hence it is this freedom which makes the ultimate self-determination—the culmination of the concept of the will—the function of a self-consciousness. This ultimate self-determination however can fall within the sphere of human freedom only in so far as it has the position of a principle explicitly distinct from and raised above all that is particular and conditional for only so is it actual in a way adequate to its concept. [A]

280 (3) This ultimate self in which the will of the state is concentrated is when thus taken in abstraction a single self and therefore is immediate individuality. Hence its natural character is implied in its very conception. The monarch therefore is essentially characterized as *this* individual in abstraction from all his other characteristics and *this* individual is raised to the dignity of monarchy in an immediate natural fashion i.e. through his birth in the course of nature.

This transition of the concept of pure self-determination to the immediacy of being and so into the realm of nature is of a peculiar character. A direct apprehension of it therefore belongs to the *Metaphysics* where this transition is in the whole the same as that familiar to us in the natural realm of willing and the principle is itself not something from

re because public freed in means rat al th sam tim th corporatio mind, engend red
stitution, hu th h reditary hara t f th pow wh th particular sph res gain their title to n hts
er f l crown is as has been sh wn th m ment is winwardly co erted into th mund f th tat
hving in th cept f that pow h means of maintaining

(β) The Executive

5 There is a distincti n between the mon
rth s deci ons nd their execut n and applica
tion, in general betwee hus d cations and the
continued execution r maintenance of past de
cision. existing laws egulations organizati ns
fo th ecuring f commo ends and so f rth.

— n r rula

3 Particula interests whi h are common to
everyone f ll within ci il oci ty a d lie outsid
the bcol tely univ ersal int rest of the tat
proper (ee P ragraph 56) The dministra
tion f these s in the hands of Corporations
(ee P ragraph comm r al and p fessional
as w ll as municipal, and th r officials
direct re manag rs and the lik It is th bus
ess f these ficialst manage the private prop
erty and interests of these particular spheres
and, f om that point of view th ir uth rity
rests o the nside of th commo lites
and p rses. nal equals On the other hand,
h wver th e cles of particular inte sts
must be subo dinated t th h r interests of
the tat and ben th filling of pos ti ns f
responsibility in C rporat ns & will gen raly
be flected by mixture f popula lects
by those int esed with ppointment and ratu
ficat by higher uth rity

which ficials lack indepe dence d w ll. us
sphere f p n at in rests, h wv ma be re-warded
h m ment f f rmal freed m

59 The maintenanc f the state s univ ersal
int est and f l eality in this sphere f part
tial right and th w k f bringing these n hts
ba k t the univ ersal equit t be superin
tended by h lders f the executiv e pow r by
() the executiv il ervant and (b) the
higher div r officials (wh re rganized in
t mmittees) These c erg in their su
prem h ds wh are in direct ont ct with the
monarch.

Just as ci il society is th battlef ld where ev ry
indiv dual privat interest meets ev ry ne
be so h re w have th struggl () f privat
m rests amst particular matters f common
cern and (b) f both f these togethe gainst th
rganizatio f th stat and its higher look. At

See P ragraph 8 —En.

90 D 2. on of labour (ee Paragraph 195)
occurs in th bu mes of the e cula also For
this eas the rganization f officials has the
b tract th uah difficult task of co arra nge
that () ci il life hall be go ern d in a c cre
manner f m bel w wh e it is co cr but
that (b) one the l the bu mes of govern
ment hall be di ded int its ab tract branches
manned by special ficials as differe t cent es
f dministration and further th t (c) th
operati ns of th e rari ns departments shall
c n rge again wh n they re directed ci il
lif f om bove in the same way as they
g into gen ral supervision in the uprem
executi [A.]

9 The nature of the executiv functions is
that they a e objective and that in their b
stance they ha been explicitly fixed by pre

See P ragraph 8 E—En
CI Heed! P d p 4 / H ary p 36 See Re
mark to P ragraph 3 od P ragraph 95—E

power of making undone what has been done and wiping out a crime by forgiving and forgetting it

The right of pardon is one of the highest recognitions of the majesty of mind. Moreover it is one of those cases where a category which belongs to a

cept of crime (which came before us earlier—see Paragraphs 95-102) of injuries against the state in general or against the sovereignty, majesty and person of the prince. In fact these acquire the character of crime of the worst kind, requiring a special procedure &c. [A]

83 The second moment in the power of the crown is the moment of particularity or the moment of a determinate content and its subsumption under the universal. When this acquires a special objective existence it becomes the supreme council and the individuals who compose it. They bring before the monarch for his decision the content of current affairs of state or the legal provisions required to meet existing needs together with their objective aspects. [A]

with the person of the monarch and therefore their choice and dismissal alike rest with his untrammelled caprice.

84 It is only for the *objective* side of decision i.e. for knowledge of the problem and the attendant circumstances and for the legal and other reasons which determine its solution that men are answerable. In other words it is these alone which are capable of objective proof. It is for this reason that these may fall within the province of a council which is distinct from the personal will of the monarch as such. Hence it is only councils or their individual members that are made answerable. The personal majesty of the monarch on the other hand as the final *subjectivity* of decision is above all answerable i.e. for acts of government.

285 The third moment in the power of the crown concerns the absolute universality which subsists subjectively in the conscience of the monarch and objectively in the whole of the constitution and the laws. Hence the power of the crown presupposes the other moments in the state just as it is presupposed by each of them.

286 The *objective* guarantee of the power of the crown or of the hereditary right of succession to the throne and so forth consists in the fact that just as monarchy has its own actuality in distinction from that of the other rationally determined moments in the state so these others explicitly possess the rights and duties appropriate to their own character. In the rational organism of the state each member by maintaining itself in its own position *et ipso* maintains the others in theirs.

One of the results of more recent history is the development of a monarchical constitution with cession to the throne firmly fixed on hereditary principles in accordance with primogeniture. With this development monarchy has been brought back to the patriarchal principle in which it had its historical origin but its determinate character is now higher because the monarch is the absolute apex of an organically developed state. This historical result is of the utmost importance for public freedom and for rationality in the constitution but as was remarked above it is often grossly misunderstood despite the respect paid to it.

The history of despotisms as of the now obsolete

consequently the general devastation and overthrow of the state in both its home and foreign concerns. This is all due to the fact that monarchies of that type the dissolution of the business of the state is purely mechanical the various sections being merely handed over to pashas, vassals &c. The difference between the departments is simply one of greater or lesser power instead of being one of form and principle.

ent and autonomous and completely independent of itself all the moments of the concept. When there is an organic relation subsisting between members of the state then each member by fulfilling the function of the others maintains the existence of the others. The maintenance of the succession to the throne or of the power of the crown necessarily of justice, public freedom &c. are mediated by securing the ethical goals by

the guarantee that a rational state such as ours are institutions essentially directed to the promotion of organs of the state. Hence the power of the crown presupposes the other moments in the state just as it is presupposed by each of them.

vious decisions (see Paragraph 57) these functions have to be fulfilled and carried out by individuals. Between an individual and his office there is no immediate natural link. Hence individuals are not appointed to office on account of their birth or native personal gifts. The *objective* factor in their appointment is knowledge and proof of ability. Such proof guarantees that the state will get what it requires and since it is the condition of appointment it also guarantees to every citizen the chance of joining the class of civil servants.

9 Since the objective qualification for the civil service is not genius (as it is for work as an artist for example) there is of necessity an indefinite plurality of eligible candidates whose relative excellence is not determinable with absolute precision. The selection of one of the candidates, his nomination to office and the grant to him of full authority to transact public business—all this as the linking of two things, a man and his office which in relation to each other must always be fortuitous, is the *subjective* aspect of election to office and it must lie with the crown as the power in the state which is sovereign and has the last word.

93 The particular public functions which the monarch entrusts to officials constitute one part of the objective aspect of the sovereignty residing in the crown. Their specific delimitation is therefore given in the nature of the thing. And while the actions of the officials are the fulfilment of their duty, their office is also a right exempt from contingency.

94 Once an individual has been appointed to his official position by the sovereign's act (see Paragraph 92) the tenure of his post is conditional on his fulfilling its duties. Such fulfilment is the very essence of his appointment and it is only consequential that he finds in his office his livelihood and the assured satisfaction of his particular interests (see Paragraph 64) and further that his external circumstances and his official work are freed from other kind of subjective dependence and influence.

The state does not count on optional discretionary services (e.g. justice administered by knights errant). It is just because such services are optional and discretionary that the state cannot rely on them for civil servants may fail for private reasons to fulfil their duties completely or they may arbitrarily decide not to fulfil them at all but pursue their private ends instead. The opposite extreme to a knight errant so far as the service of the state goes would be an official who clung to his office purely

and imply to make a living without any real sense of duty and so without any real right to go on holding it.

What the service of the state really requires is that men shall forgo the selfish and capricious satisfaction of their subjective ends by this very sacrifice they acquire the right to find their satisfaction in, but only in the dutiful discharge of their public functions. In this fact so far as public business is concerned there lies the link between universal and particular interests which constitutes both the concept of the state and its inner stability (see Paragraph 260).

It follows that a man's tenure of his civil service

like an agent to perform a special causal act of service on the contrary he concentrates his main interests (not only his particular interests but his same fundamental interests also) on his relation to his work. Similar to the work imposed upon him and entrusted to him is not merely a particular thing external in character, the value of such a thing is something inward and therefore distinct from its outward character so that it is in no way impaired if what has been stipulated is not fulfilled (see Paragraph 7). The work of a civil servant however is as such a value in itself for itself. Hence the work committed through his non performance or positive misperformance (i.e. through an act on contrary to official duty and both of these are of that type) is an infringement of the universal content itself (i.e. is a negatively infinite judgement—see Paragraph 95) and so is a trespass or even a crime.

The assured satisfaction of particular needs remains the external impulse which may tempt a man to seek ways and means of satisfying them at the expense of his official duties. Those who are entrusted with affairs of state find in its universal power the protection they need against another subjective phenomenon namely the personal passions of the governed whose private interests &c suffer in the interest of the state is made to prevail against them.

95 The security of the state and its subjects against the misuse of power by ministers and their official lies directly in their hierarchical organization and their answerability, but it lies too in the authority given to societies and Corporations because in itself this is a barrier against the intrusion of subjective caprice into the power entrusted to a civil servant and it completes from below the state control which does not reach down as far as the conduct of individuals.

The conduct and culture of officials is the sphere where the laws and the general norms should come into contact with individual life and directly made good. Hence it is the conduct of officials that

It starts from the start and devotes itself to itself
 The universal end.

As for the moral guarantee which is supposed to be peculiarly in the Estates, each of the political institutions shares with the Estates in the guarantee of public welfare and rational freedom and some of these institutions, as for instance the sovereignty of the monarch, hereditary and crown, to the Estates the judicial system &c., guarantee these things far more effectively than the Estates can.

Hence the specific function which the concept assigns to the Estates is to be sought in the fact that the Estates both represent in universal freedom the public judgment and private will of the sphere called "civil society" in this book—comes in existence

and in substance then the state would be in the throes of destruction. That the clash is not of this kind is evident in the nature of the thing because the Estates have to deal with the essential element in the formation of the state but only with — — — — — and trifling matters, while the pas-

state. [A.]

303 The universal class or more precisely the class of civil servants must purely in virtue of its character as universal have the universal as its end if its essential activity. In the Estates as an element in the legislative power the universal class acquires its political significance and efficacy: it appears the effect in the Estates to be the as mere indiscriminate multitudes of as an aggregate dispersed into its atoms but is what it already is namely a class subdivided into two or three sub-classes [the agricultural class] being based on a difference of substance between its members and the other [the business class] on particular needs and the work whereby these are met (see Paragraph 305). It is only in this way that there is a genuine link between the particular which is effected in the state and the universal.

30. Regarded as mediating organ, the Estates stand between the government in general on the one hand and the nation broken up into particulars (people and occupations) on the other. Their function requires them to possess a political and administrative sense and temper no less than sense for the interests of individuals and particular groups. At the same time the universal effect of their position is that in common with the organized executive they are a middle term preventing both the extreme isolation of the power of the crown which otherwise might seem a mere arbitrary tyranny and also the isolation of the particular interests of persons, societies and Corporations. Further and more important, they prevent individuals from being too preoccupied with their own aggregate and so from forming an unorganized opinion and little and from crystallizing into powerful but in opposition to the organized state.

It is one of the most important discoveries of logic that the specific moment in which, by standing in a position, has the point. In an extreme case it is such and so moment in an organism by being at the same time mean. In connection with our present point it is of the most important to emphasize this aspect of the matter because of the popular but most dangerous prejudice which regards the Estates principally from the point of view of their opposition to the executive as if that were their essential vocation. If the Estates become an organ in the whole by being taken up into the state they enforce themselves solely through their mediating function. In this way their opposition to the executive is reduced. It shows. There may indeed be an appearance of opposition between them, but if they were opposed, it merely superficially but actually

member of general group. That however is essentially an organism each of whose members is in itself group of this kind, and hence in the formation of the whole would appear as an unorganized aggregate. The many as units—a conventional interpretation of "people are of course something connected, but they are connected only as an aggregate of more or less mass whose common life and activity could then be only be elementary irrational, barbarous, and fightful. When we hear speakers of the constitution expatiating about the "people"—this organized collection—we know from the start that we have something to expect but generalities and perverse declarations.

The circles of association in civil society are already communities. To picture these communities as once

and the and as it were to have, the little in the air because its basis could then only be the detract in

talents of its members together with the infinitive

the form of riches namely money (Services requisitioned for the defence of the state in war arise for the first time in connexion with the duty considered in the next subdivision of this book.) In fact however money is not one particular type of wealth amongst others but the universal form of all types so far as they are expressed in an external embodiment and so can be taken as things. Only by being translated into terms of this extreme culmination of externality can services exacted by the state be fixed quantitatively and so justly and equitably.

In Plato's *Republic* the Guardians are left to allot individuals to their particular classes and impose on them their particular tasks (compare Remark to Paragraph 183.) Under the feudal monarchies the services required from vassals were equally indeterminate but they had also to serve in their particular capacity e.g. as soldiers.

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individuals substantive activity—which in any case becomes something particular in content in services like those mentioned—shall be mediated through a particular volition. This is a right which can be secured only when the demand for service takes the form of a demand for something of universal value and it is this right which has brought with it this conversion of the state's demands into demands for cash. [A]

300 In the legislature as a whole the other powers are the first two moments which are effective (1) the monarchy as that to which ultimate decisions belong (2) the executive as the advisory body since it is the moment possessed of (a) a concrete knowledge and oversight of the whole state in its numerous facets and the actual principles firmly established within it and (β) a knowledge in particular of what the state's power needs. The last moment in the legislature is the Estates. [A]

301 The Estates have the function of bringing public affairs into existence not only implicitly but also actually i.e. of bringing into existence the moment of subjective formal freedom the public consciousness as an empirical universal of which the thoughts and opinions of the Many are particulars.

The phrase the Many (τὰ πολλὰ) denotes empirical universal more strictly than All which is in current use. It is said that obviously that this

See Paragraph 4 ff.—E
cf. Remark 1 graph 3

all prima facie excludes at least children, women, &c. then it is surely still more obvious that the quantitative definite word all should not be used when something quite indefinite is meant.

Current opinion has put it thus—

such a

speaks

states

specify laws and correct them. The idea uppermost in men's minds when they speak about the necessity or the expediency of summoning the Estates is generally something of this sort: (1) The deputies of the people or even the people themselves must know best what is in their best interest and (2) their will for its promotion is undoubtedly the most disinterested. So far as the first of these points is concerned however the truth is that if 'people' means a particular section of the citizens then it means precisely that section which does not know what it wills. To know what one wills and still more to know what the absolute will Reason wills, is the fruit of reflection.

1) have a deeper and more comprehensive insight into the nature of the state's organic demands. They are all more habituated to the business of government and have greater skill in it, so that even without the Estates they are able to do what is best just as they also continually have to do while the Estates are in session. No the guarantee on the contrary (1) in the order of insight of the duties assigned in the first place into the activity of such officials as are not immediately under the eye of the higher functionaries of state and in particular into the more pressing and more specified needs and deficiencies which are directly in their view (β) notwithstanding that the anticipation of criticism from the Many particularly of public criticism has the effect of inducing officials to develop the best attention beforehand to their duties and the schemes of consideration and to do this these only in accordance with the purest motives. This same compulsion effectively also on the members of the Estates themselves.

As for the conspicuously good will for the general welfare which the Estates presuppose, it is however

1) is a popularistic notion characteristic of the rabble or of the ignorant. 2) This presupposition might not be well done to be wrong and by the contrary of the Estates itself. For isolated individuals, from private points of view, may put their interests, and so a conclusion to their act is that these at this expense of the general interests while pursuing the means to the power of the state explicitly take up the standpoint

14. tat from th s art and devote themselves t
L universal nd.

As f L general guarantee which is supposed f
E particularly in L Estates, each f the ther politi
cal ins' joins shares with th Estates in be-
guaran ee f publs welfare and rational freed m,
and som f these institut ns, as f instance th
sovereignty fth m narch, hereditary cress t
the throne, th judicial system &c., guarantee these
things far more effectively than th Estates can.

Hence L specul. functio which th co cept as-
sugnt L Estates is t be sought in th f ct that m
L em L bjective moment in universal freed m-
th p r a j dement dpriat will fth sub re
called civil society" in this book—comes in ent.

3. Regarded as a mediating organ, th Es-
ta es stand between th government in general
n th o e hand and the nation b ken up into
particulars (peopl and associations) o the
other. Their function require them to possess
a political and administrative sense and temper
no less than a sense fo the interest f indi-
duals and particular gr ups. At th same time
L significance fth upos on is that in com-
mon with the organized ecutiv e they are a
mediating preventing both L extreme isola-
tion fth power of the crown, which otherwise
might seem a mere arbitrary tyranny, and also
L isola fth particular interests of per-
sons societies and Corporations. Further and
more important L y prevent individuals from
being able to appear of mass an aggregate
and so from gaining an unorganized opinion
and thus and f mcrystallizing into power-
ful blocs in opposi to the organized state

I is ne fth most important discoveries f logic
that specul as me t which by standing in an op-
position, has th posit (an extreme ceases to be
such and m ment in an organ wh l b being
fth sam tum mean. In connex with ur
present topic it is all th m re important t empha-
size this aspect fth matt because fth popular
but most dangerous, prej dice which regards th
Estates principally f m th point f view fth r
oppositi n, the executive, as if that were their es-
sential t de. If th Estates become an organ in
th whole b being taken up in th sta they
evince themselves soli through their mediating
function. I thus wa their positio to th execu-
tive is reduced to sh w. There ma indeed be an
appearanc f oppositi between them, b t if they
were opposd, not merely superficially b t actually

and in substance then th stat wo ld be in L
throes f destructi n. That the clash is n t f this
kind is evident in th nature fth thing because
th Estates have t deal t with th essential le-
mens in th minimum fth stat but only with
rather pecoliarized and tring matt rs, wha the pas-
sio which r these rouse spends ved in party
cravings in connex with purely bjectiv int r-
ests uch as appointments to th high offices f
state. [4.]

303. The universal class or more precisely
the class of civil servants must, purely in virtue
of its character as universal have the universal
as th end of its essential acti n. In the Es-
tates as an element in the legislative power the
unofficial class acquires its political significance
and efficacy. It appears therefore in the Estates
neither as a mere indiscriminate multitude nor
as an aggregate dispersed into its t m, but as
what already is namely class subdivided into
two sub-class (the bureaucratic class) being
based on a tie of substance between its members
and the ther (the business class) o particular
needs and th wo k whereb these are met (see
Paragraph 305). It is only in this way that
there is a genuine link between the particular
which is effective in the state and the universal.

This runs counter to an other prevalent dea, L
idea that since it is in L legislation that th unof-
ficial class rises t th level f participating in mat-
ters f stat t must appear th re in the form of in-
dividuals, wh ther individuals are t choose repre-
sentati es f this purpose wh ther every single
individual is t have vot in the legislature himself.
This t mistac and abstract point f view vanishes
t the bare fth family as w ll as that f civil so-
ciety where th individual is in evidence ab as
member f gen ral group. Th late, however is
essentially an organization each f whose members
is in itself group f this kind, and hence ne f
its moments sh uld appear as an organized ar-
rangement. Th Many as units—a communal interp et-
atio f "people, are f course somethm connected,
but they are connected nly as an aggregate f m
less mass whose comm n and civity could th re-
f re nly be elementary irrational, barbarous, and
frightful. When we hear speakers th constituti on
expatiating bout the "peopl —this unorganized
collection—we kn w from L tart that w have
thing t expect b t generalities and perverse de-
clamations.

The circles f associa in civil society are already
communities. I picture these communities as nec-
essarily

another and as t w re t hang the latt in the air
because its basis could then nl be the abstract in

dividuality of caprice and opinion and hence it would be grounded on chance and not on what is absolutely stable and just fixed

So called theories of this kind involve the idea that the classes (*Stände*) of civil society and the Estates (*Stände*) which are the classes given a political significance stand wide apart from each other. But the German language by calling them both *Stände* has still maintained the unity which in any case they actually possessed in former times

304 The Estates as an element in political life still retain in their own function the class dis-

principle of monarchy or the crown their position is that of an extreme—empirical universality. This extreme opposition implies the possibility though no more of harmonization and the equally likely possibility of set hostility. This abstract position changes into a rational relation (into a syllogism see Remark to Paragraph 30) only if the middle term between the opposites comes into existence. From the point of view of the crown the executive already has this character (see Paragraph 300). So from the point of view of the classes one moment in them must be adapted to the task of existing as in essence the moment of mediation.

305 The principle of one of the classes of civil society is in itself capable of adaptation to this political position. The class in question is the one whose ethical life is natural whose basis is family life and so far as its livelihood is concerned the possession of land. Its particular members attain their position by birth just as the monarch does and in common with him they possess a will which rests on itself alone.

306 This class is more particularly fitted for political position and significance in that its capital is independent alike of the state capital the uncertainty of business the quest for profit and any sort of fluctuation in possessions. It is likewise independent of favour whether from the executive or the mob. It is even fortified against its own wilfulness because those members of this class who are called to political life are not entitled as other citizens are either to dispose of their entire property at will or to the assurance that it will pass to their children.

307 The right of this section of the agricultural class is thus based in a way on the natural

See Paragraph 199—Ed

principle of the family. But this principle is at

As a consequence of this this class is summoned and entitled to its political vocation by birth without the hazard of election. It therefore has the fixed substantive position between the subjective wilfulness or contingency of both extremes and while it mirrors in itself (see Paragraph 305) the moment of the monarchical power it also shares in other respects the needs and rights of the other extreme [i.e. civil society] and hence it becomes a support at once of the throne and society.

308 The second section of the Estates comprises the fluctuating element in civil society. This element can enter politics only through its deputies the multiplicity of its members is an external reason for this but the essential reason is the specific character of this element and its activity. Since these deputies are the deputies of civil society it follows as a direct consequence

collected to perform only a single and temporary act and kept to either for a moment and no longer. On the contrary it makes the appointment as a society articulated into associations communities and Corporations which although constituted already for other purposes acquire in this way a connexion with politics. The existence of the Estates and their assembly find a constitutional guarantee of its own in the fact that this class is entitled to send deputies at the summons of the crown while members of the former class are entitled to present themselves in person in the Estates (see Paragraph 307).

To hold that every simple sense which is liberating and deciding on political matters of general concern on the ground that all individuals are members of the state that it concerns each of us and that it is the right that what is done should be done with the knowledge of all is to take it to be a proposal to put the democratic element without any rational form into the organization of the state although it is living out of the possession of such a form that it is rationalism at all. This idea comes rarely to mind because it does not go beyond the abstraction of being members of the state and it is superficial thinking which clings to abstraction. The rational consideration of the state is the consciousness of the idea of concrete and to that extent it coincides with a general practical sense. Such a sense is itself nothing but the sense of rationality or the idea that it is not to be

And with more business to us the honor of
remained where the concept is the whole
approach is is particular, grows. The member
of the member is such as to be of social
character and is characterized in his behavior
as to become under consideration when we are
dealing with the class. His more character as univer-
sally, which is it is as to the same time both
a more and also such as to be a more
will such with the universal. This consciousness
it will, however, lose its universality and require
to be a more and also such as to be a more
and will participate and participation means
of member as particular and particular, dis-
tinction is put the most common sense attraction
divided generic essence to his universal
universal class. All generic essence entailed
entailed, which is the single person, is the
entailed from the class of universal in which
entailed from the class of universal in which

1. $\text{mg}^2 \cdot \text{yd}^4$

4. an impression of the statistical and
primary and business of the state every
one of the 300

ing in decisions are asked to deliberate and decide on the issue at the point about their exit from it. It is a choice of exit dual to the strength of confidence felt in them, a choice of which one of them has a better understanding of these things than the other. It is a choice which also is essentially a choice of the universal in respect to the particular interest of a society. Citizens in the presence of what interests them their relations to their society is thus seen with citizens on special issues. A further basis for being to the effect that their emblem is meant to be a body in which all members deliberate in common and reach socially correct and convincing other all.

The market has done as well have the
the and disunion has cord with
the independent mean. Thus is
at in the section of the Es. co. st. bo
and so the sec. d section is concerned
the sec. d drawn from the remaining and
the sec. d in civil society above all
in the wedge (if the organization and in
terms of the and civil society) the sec.
primary and the sec. d does not require
as the sec. d transaction business in

ma. per. to official positions and then evinces
in his actions. As a result he also acquires and
develops a moral and political conscience tested
by his experience and thus a further guarantee
of his worthiness as a deputy.

enough, finds other
 floors and even verb ps. the demand is
 such that results demand is made with reference
 to what is called the "people". The s. b. were
 is characterized by b. b. not b. b. b. b. b. b.
 upon and its self-ence. Hence it can reco-
 nize in the world only the objects of reason.

but a directed character and, in a broad sense, in relation to this point in connection with the second section of the Estates, since this section is rooted in international law. It is directed towards particular law in the sphere where chance in liability and chance exist together. (Free pla.)

The external guarantee properly qualifies it, as, if taken by the external just as he acted in his external, as, if the external are pure) and by the confidence and the external (the last at B shall be a direct as in contrast with the other guarantee is required to be because of the fact that and commenced in the posts indicated in Paragraph 3. This part it were proper guarantee has more we will make work of feature in the choice of the bonds and over 50 years of the association and societies, generally if the of these posts are honorary and in direct reference to E. states business if the members draw no salary.

311 A further point about the lecture of deves is that, in civil society is the lect r
The deves and themselves be con
ress, with and participate in a special need.
difficulties and particular literatures. Owing to
the nature of civil society, deves are the
deves of the an us C moral as (see Para
graph 5) and this simple mode of present
ment obvious any confu due to cooing
the electoral abe, with and as an ag operation
of omis. Hence the deves are adopted
the po of few of society and their actual
election is the ore el r something whol
omious r else reduced? a trial pair of
omious and a ne.

1. but as I draw out the Congress should include representatives of each part near main branch of force (e.g. trade union, etc., etc.) - representatives who are themselves in the variant with it and who themselves be, so I think idea of free unrestricted lecture leaves less important constitutional to try to change. All such branches of society better his own rights of representation in Congress are sometimes regarded as "representative" to be they are representative in an organic sense only if they are representatives not from the social organization of them, but

dividualty of caprice and opinion and hence it would be grounded on chance and not on what is abolutely table and justified

So called theories of this kind involve the idea that the classes (*Stände*) of civil society and the Estates (*Stände*) which are the classes given a political significance stand wide apart from each other. But the German language by calling them both *Stände* has still maintained the unity which in any case they actually possessed in former times

304 The Estates as an element in political life still retain in their own function the class distinctions already present in the lower spheres of civil life. The position of the classes is abstract to begin with i.e. in contrast with the whole principle of monarchy or the crown their position is that of an extreme—empirical universality. This extreme opposition implies the possibility though no more of harmonization and the equally likely possibility of set hostility. This abstract position changes into a rational relation (into a syllogism see Remark to Paragraph 302) only if the middle term between the opposites comes into existence. From the point of view of the crown the executive already has this character (see Paragraph 300). So from the point of view of the classes one moment in them must be adapted to the task of existing as in essence the moment of mediation

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306 This class is more particularly fitted for political position and significance in that its capital is independent alike of the state's capital the uncertainty of business the quest for profit and any sort of fluctuation in possessions. It is likewise independent of favour whether from the executive or the mob. It is even fortified against its own wilfulness because those mem-

whom they love equally in similarly equal divisions. Hence their wealth becomes inalienable entailed and burdened by primogeniture [A]

307 The right of this section of the agricultural class is thus based in a way on the natural
See Paragraph 199—Ed

principle of the family. But this principle is at the same time reversed owing to hard sacrifices made for political end and thereby the activity of this class is essentially directed to those ends. As a consequence of this this class is summoned and entitled to its political vocation by birth without the hazards of election. It therefore has the fixed substantive position between the subjective wilfulness or contingency of both extremes and while it mirrors in itself (see Paragraph 305) the moment of the monarchical power it also shares in other respects the needs and rights of the other extreme [i.e. civil society] and hence it becomes a support at once of the throne and society

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To hold this principle in no less reinde liberating and deciding on political matters of general concern to the good that all individuals are members of the state that its concerns are their concern and that it is their right that what is done should be done with their knowledge and consent in tantum to a proposal to put the democratic element with any rational form into the state although it is only in the of the pos-

a topic the consciousness of the Idea is concretely related to the content coincides with genuine practical sense. Such a sense is itself a thing but the sense is rationality or the Idea though it is not to be con-

Hen the tump d t subjects diff'rence
f new that w find it said that p pua Des
and on t. ther ha d, a. Annot has t,

Ek 7 olgar en t s sprenda
Epori p dig l h re tend

a. Goct. puts t, "th masses ar respectable
hands fluting b t miserable ha ds t; doing
type= fasserho are tru t and th sam

noxious character which it acquires as a result principally of the rationality of the constitution the stability of government and secondly of the publicity of Estates Assemblies. The reason why the latter makes free speech harmless is that what is uttered in these Assemblies is a sound and mature insight into the concerns of the state with the result that members of the general public are left with nothing of much importance to say and also are all are deprived of the opinion that what they say is of peculiar importance and efficacy. A further safeguard of free speech is the indifference and contempt speedily and necessarily visited on hollow and cantankerous talking.

To define freedom of the press as freedom to say what we please is parallel to the sentence that freedom as such means freedom to do what we please. Talk of this kind is different wholly from

No. 3.

A great genius propounded as problem for public essay competition the question whether it be permissible to discuss people. The answer must have been that people does not allow itself to be decorated about its substantial basis, the essence and specific character of its mind. On the other hand, it is self-deceived both in the manner of its knowledge of these things and about its corresponding judgment of its various experiences, &c. (A.)

§ 8 Public opinion therefore deserves to be as much respected as despised—despised for its concrete expression and for the concrete opinion unless it expresses respect for its essential basis, basis which only glimmers to it less dimly in that concrete expression. But in itself it has no notion of discrimination, no has the ability to extract the substantial element, to stain and raise it to precise knowledge. Thus it is independent of public opinion is the first formal condition of having any thing great or rational whether in life or in science. Great achievement is assured, however if subsequent recognition and grateful acceptance by public opinion, which hand will make a man of its own prejudices (A.)

§ 9 Freedom of public communication—of the two modes of communication the press and the spoken word, the first excels the second in range of contact but lags behind it in satisfaction of the goading desire to say and to be said to is directly as urged by the laws and by laws which ought to punish is essential. But this is evaded indirectly by the in-

nary of law and in the trespass, wrong and injury here are so extremely personal and subjective in form and content that they are treated equally to

pends them whether the injurious expression of opinion is in itself actually an effect or not.

Laws then (against libel, &c.) may be criticized by exhibiting their indeterminacy as well as by arguing that they leave to the speaker writer to devise turns of phrase tricks of expression and so evade the laws. It is claimed that judicial decisions are mere objects of verdicts. Further however against the view that the expression of opinion is an act with injurious effects it may be maintained that it is not an act at all, but only opinion and thinking. Only talking. And so we have before us a claim that mere pointing and talking is to go unpunished because it is of purely subjective character both in form and content, because it does not mean anything and is of no importance. And yet in the same

of one of the essential phases of society and its large scale interests. Hence representation cannot now be taken to mean simply the substitution of one man for another: the point is rather that the interest itself is actually present in its representative while he himself is there to represent the objective element of his own being.

As for popular suffrage it may be further remarked that especially in large states it leads inevitably to electoral indifference since the casting of a single vote is of no significance where there is a multitude of electors. Even if a voting qualification is highly valued and esteemed by those who are entitled to it they still do not enter the polling booth. Thus the result of an institution of this kind is more likely to be the opposite of what was intended: election actually falls into the power of a few, of a caucus and so of the particular and contingent interest which is precisely what was to have been neutralized.

312 Each class in the Estates (see Paragraphs 305-8) contributes something peculiarly its own to the work of deliberation. Further, one moment in the class element has in the sphere of politics the special function of mediation: mediation between two existing things. Hence this moment must likewise acquire a separate existence of its own. For this reason the assembly of the Estates is divided into two houses.

313 This division by providing chambers of the first and second instance is a surer guarantee for ripeness of decision and it obviates the accidental character which a snap division has and which a numerical majority may acquire.

the side of the lower house the weight of the lower house's opinion is all the stronger because it appears less partisan and its opposition appears neutralized.

314 The purpose of the Estates as an institution is not to be an inherent *sine qua non* of maximum efficiency in the consideration and dispatch of state business since in fact it is only an added efficiency that they can supply (see Paragraph 301). Their distinctive purpose is that in their pooled political knowledge de-

315 The opening of this opportunity to know has a more universal aspect because by this means public opinion first reaches thoughts that are true and attains insight into the situation and concept of the state and its affairs and so first acquires ability to estimate these more rationally. By this means also it becomes acquainted with and learns to respect the work abilities, virtues and dexterity of ministers and officials. While such publicity provides these abilities with a potent means of development and a theatre of higher distinction it is at the same time another antidote to the self-conceit of individuals singly and *en masse* and another means—indeed one of the chief means—of their education. [A]

316 The formal subjective freedom of individuals consists in their having and expressing

public opinion in which what is absolutely universal, the substantive and the true, is linked with its opposite, the purely particular and private opinions of the Many. Public opinion as it exists is thus a standing self-contradiction: knowledge as appearance, the essential just as directly present as the inessential. [A]

317 Public opinion therefore is a repository not only of the genuine needs and correct tendencies of common life but also in the form of common sense (i.e. all pervasive fundamental ethical principles disguised as prejudices) of the eternal substantive principles of justice, the true content and result of legislation, the whole constitution and the general position of the state. At the same time when this inner truth emerges into consciousness and embodied in general maxims enters representative thinking—whether it be there on its own account or in

ignorance and perversity by its mistakes and fallacy of judgement. Since in considering such opinion we have to do with the consciousness of an insight and conviction peculiarly one's own, the more peculiarly one's own an opinion may be, the worse its content is because the bad is that which is wholly private and personal in its content, the rational on the other hand is the absolutely universal while it is on peculiarity that opinion prides itself.

any share in the executive. Consequently it is knowledge of public business above all which is extended by the publicity of Estates debates.

breath we have the claim that this same opinion and talking should be held in high esteem and respect—the opinion because it is personal property and in fact pre-eminently the property of mind—the talking because it is only this same property being expressed and used.

But the substance of the matter is and remains that traducing the honour of anyone, slandering, abusing the contemptuous caricature of government, its ministers, officials, and in particular the person of the monarch, defiance of the laws, incitement to rebellion &c. &c. are all crimes or misdemeanours in one or other of their numerous gradations. The rather high degree of indeterminability with which such actions acquire on account of the element in which they are expressed does not annul this fundamental character of the *sins*. Its only effect is that the subjective field in which they are committed also determines the nature and form of the reaction to the offence. It is the field in which the offence was committed which itself necessitates subjectivity of view, contingency &c. in the reaction to the offence, whether the reaction takes the form of punishment proper or of police action to prevent crimes. Here, as always, abstract thinking sets itself to explain away the fundamental and concrete nature of the thing by concentrating on isolated aspects of its external appearance and on abstract considerations drawn therefrom.

The sciences however are not to be found anywhere in the field of opinion and subjective views provided of course that they be sciences in other respects. Their exposition is not a matter of clever turns of phrase, allusiveness, half utterances and semi reticences, but consists in the unambiguous determination and open expression of their meaning and purpose. It follows that they do not fall under the category of public opinion (see Paragraph 316). Apart from this, however, as I said just now, the element in which views and their expression become actions in the full sense and exist effectively, consists of the intelligible principles and opinions of others. Hence this aspect of these actions, i.e. their effectiveness proper and the regard to individuals socially and the state (compare Paragraph 218), depends on the character of the ground on which they fall, just as a spark falling on a heap of gunpowder is more dangerous than if it falls on hard ground where it vanishes without trace. This just as the right of science to express itself depends on a *dis* safeguarded by its subject matter and content, so an illegitimate expression may also acquire a measure of *freedom*.

as a nemesis of a more harmless type which Roman soldiers vented against their generals while they sang scurrilous songs about them in triumphal processions.

in order in a way to get even with them for all the

ity, it is restricted to futile malice and to the self condemnation which it implicitly contains.

30 Subjectivity is manifested in its most external form as the undermining of the established life of the state by opinion and ratiocination when they endeavour to assert the authority of their own fortuitous character and to bring about their own destruction. But its true actuality is attained in the opposite of this, i.e. in the subjectivity identical with the substantial will of the state, the subjectivity which constitutes the concept of the power of the crown and which, as the ideality of the whole state, has not up to this point attained its right or its existence [A]

2 Sovereignty vis à vis foreign States

321 Sovereignty at home (see Paragraph 28) is this ideality in the sense that the moments of mind and its actuality, the state, have become developed in their necessity and subsist as the organs of the state. Mind in its freedom is an infinitely negative relation to itself and hence its essential character from its own point of view is its singleness, a singleness which has incorporated these subsistent differences into itself and so is a unit exclusive of other units. So characterized, the state has individuality and individuality is in essence an individual and in the sovereign an actual immediate individual (see Paragraph 79).

322 Individuality is awareness of one's existence as a unit in sharp distinction from others. It manifests itself here in the state as a relation to other states, each of which is autonomous vis à vis the others. This autonomy embodies mind's actual awareness of itself as a unit and hence it is the most fundamental freedom which a people possesses as well as its highest dignity.

Those who talk of the wishes of a collection of people cannot tutting a more or less autonomous state with its own tre of its wishes to renounce this centrality its autonomy in order to unite with others to form a new whole have very little knowledge of the nature of a collection or of the feeling of self.

Th legitimat th rty f tat and, m par
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 Th m. p. t. rises h w far made people f

334 It foll ws that if states disagree and their
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b. [A.]

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 their own bo ders

333 Th fundamental p opo tio of interna
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33 Apart f om this the state is in essence
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336 Since tates are elated to o e an ther as

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 sr te wholes that they first attain re ognition
 (see P ragraph 33)

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 p e Rema k to P ragraph 324) Similarly its

citizens are in duty bound to answer the summons to its defence. If in such circumstances the entire state is under arms and is torn from its domestic life at home to fight abroad the war of defence turns into a war of conquest.

The armed force of the state becomes a standing army while its appointment to the particular task of state defence makes it a class. This happens from the same necessity as compels other particular moments interests and act vices in the state to crystallize into a given status or class e.g. into the status of marriage or into the business or civil servant class or into the Estates of the Realm. Patricianism running hither and thither from ground to consequent launches forth into reflections about the relative advantages and disadvantages of standing armies. Opinion readily decides that the latter preponderate partly because the concept of a thing is harder to grasp than its single and external aspects but also because particular interests and ends (the expense of a standing army and its resulting higher taxation &c.) are rated in the consciousness of civil society more highly than what is necessary in and by itself. In this way the latter comes to count only as a means to particular ends.

327 In itself courage is a *formal* virtue because (i) it is a display of freedom by radical abstraction from all particular ends possessions pleasure and life but (ii) this negation is a negation of externalities and their alienation the culmination of courage is not intrinsically of a spiritual (*geistiger*) character (iii) the courageous man's inner motive need only be some particular reason or other and even the actual result of what he does need be present solely to the minds of others and not to his own. [A]

328 The intrinsic worth of courage as a disposition of mind is to be found in the genuine absolute final end the sovereignty of the state. The work of courage is to actualize this final end and the means to this end is the sacrifice of personal actuality. This form of experience thus contains the harshness of extreme contradictions a self sacrifice which yet is the real existence of one's freedom the maximum self subsistence of individuality yet only as a cog playing its part in the mechanism of an external organization absolute obedience renunciation of personal opinions and reasonings in fact complete *absence* of mind coupled with the most intense and comprehensive *presence* of mind and decision in the moment of acting the most hostile and so most personal action against individuals coupled with an attitude of complete indifference or even liking towards them as in individuals.

See P paragraph 38 dth R m a k th et —Ed

To risk one's life is better than merely fear death but is still purely negative and so indeterminate.

bent on crime as their end adventurers pursue ends planned to suit the *own* whims &c these too have part enough to risk their lives.

The principle of the modern world—thought and the universal—has given courage a higher form because its display now seems to be more mechanical the act not of this particular person but of a member of a whole. Moreover it seems to be turned not against single persons but against a hostile group and hence personal bravery appears impersonal. It is for this reason that thought has invented the gun and the invention of this weapon which has changed the purely personal form of bravery into a more abstract one is no accident.

329 The state's tendency to look abroad lies in the fact that it is an individual subject. Its relation to other states therefore falls to the power of the crown. Hence it directly devolves on the monarch and on him alone to command the armed forces to conduct foreign affairs through ambassadors &c to make war and peace and to conclude treaties of all kinds. [A]

B International Law

330 International law springs from the relations between autonomous states. It is for this reason that what is absolute in it retains the form of an ought to be since its actuality depends on different wills each of which is sovereign. [A]

331 The nation state is mind in its substantive rationality and immediate actuality and is therefore the absolute power on earth. It follows that every state is sovereign and autonomous against its neighbours. It is entitled in the first place and without qualification to be sovereign from their point of view i.e. to be recognized by them as sovereign. At the same time however this title is purely formal and the demand for this recognition of the state merely on the ground that it is a state is abstract. Whether a state is in fact something absolute depends on its content i.e. on its constitution and general situation and recognition implying as it does an identity of both form and content is conditional on the neighbouring state's judgement and will.

A state is as little an actual individual with relations to other states (see P paragraph 32) as an individual is actually a person without *appoi* with other persons (see Paragraph 71 and elsewhere).

F g P g ph 40 O ec g ltl se R m k t
P g ph 349 —Ed

the nature of mind, something of the fact that it is its nature to have growth even as the law of its being and hence it apprehends that which it is to have from higher than that which constituted its mere being. But it loses what respect this doctrine, mind has remained an empty word, and but only superficially casual, so-called "merely human," "everyday" and "passions." Even if in connection with history they speak of Providence and the plan of Providence, and express faith in higher power, their ideas remain empty because they expressly declare that if there be a plan of Providence it is inscrutable and incomprehensible.

33. In the course of this work of the world mind, various nations and individualisms arise and matured by their particular determinate principles which have as interpretation and actuality in their consciousness and in the whole nature their life and condition. While their consciousness is limited to these and they are absorbed in their mind, external events they realize in time to be conscious too and errands of the world mind a work within them. The scope which they take poss. way when the absolute mind prepares and works out its transition to its next higher work.

34. Just as at the beginning power and violence and later movements pass as error and weak ground and innocent grandeur in the dual and national life, economy for time and the origin of states and the decay, all these have their relative significance and which the field of the world actually therein love rejected and therein they have their partial, which is partial justification. World history however is about the point of view from which these things matter. Each of its stages is the present of necessary moment in the idea of the world mind, and that moment is also the basis right in that life. The nation whose life embodies this moment, secures its good fortune and fate and its deeds are brought to fruition.

35. However its mind clothing itself with the form of events in the immediate external nature. The area of development rather free prepared immediately as universal principles. These because they are universal, are plurality external to one another and they are present therefore in which way that each of them is assured in movement external form of its form and anthropological conditions.

36. The nation to which is ascribed a moment, the idea in the form of universal principle is connected with giving complete effect to

it in the advance of the self-development of consciousness of the world mind. This nation is dominant in world history during this one epoch and is only once (see Paragraph 345) that it can make its hour strike. In contrast with this is also the right of being the vehicle of this present state in the world mind's development the minds of the other nation rewithout this and they along with those whose hour has struck already count no longer in world history.

The history of single world historical nations contains (a) the development of its principle from its latent energy to its blossoming into the self-consciousness in ethical life and presses in world history and (b) the period of its decline and fall, more than is decline and fall that signifies the emergence in the higher principle as the pure negation of its own. When this happens, mind passes over into the new principle and so marks a transition of world historical significance. After this period, the declining nation has lost the interest of the world, may indeed absorb the higher principle possibly and begin building its life in, but the principle is only like an orphan child, like a slave to whom states are permanently vital.

time and becomes broad.

37. All nations including world historical nations common with individual as subjects giving actuality to the substantial (see Remark 1 Paragraph 9). They are the living instruments of what is in substance the deed of the world mind and they are therefore directly connected with that deed though it is concealed from them and is of their aim and object (see Paragraph 344). For the deed of the world mind, therefore they receive in honor or or thanks either from their contemporaries (see Paragraph 344) or from posterity in later ages. All that is vouchsafed to them by such opinion is the living fame in respect of the subjectivity of their acts.

38. A nation does not begin by being itself. The transition from family horde to clan to nation and so on to political conditions is the realization of the idea in the form of that nation. Where this form, nation, as an ethical subjectivity which is what it is implicitly lacks the objectivity of possessing in its own eyes and in the eyes of others a universal and universally valid embodiment in laws and in determinate things and as result it fails to secure recognition from others. So long as it lacks objective

All editions read 345 —En.

aim in relation to other states and its principle for justifying wars and treaties is not a universal thought (the thought of philanthropy) but only its actually injured or threatened welfare as something specific and peculiar to itself

At one time the opposition between morals and politics and the demand that the latter should conform to the former were much canvassed. On this point only a general remark is required here. The welfare of a state has claims to recognition totally different from those of the welfare of the individual. The ethical substance the state has its determinate being in its right directly embodied in something existent something not abstract but concrete and the principle of its conduct and behaviour can only be this concrete existent and not one of the many universal thoughts supposed to be moral commands. When politics is alleged to clash with morals and so to be always wrong the doctrine propounded rests on superficial ideas about morality the nature of the state and the state's relation to the moral point of view.

338 The fact that states reciprocally recognize each other as states remains even in war—the state of affairs when rights disappear and force and chance hold sway—a bond wherein each counts to the rest as something absolute. Hence in war war itself is characterized as something which ought to pass away. It implies therefore the proviso of the *jus gentium* that the possibility of peace be retained (and so for example that envoys must be respected) and in general that war be not waged against domestic institutions against the peace of family and private life or against persons in their private capacity [A]

339 Apart from this relations between states (e.g. in war time reciprocal agreements about taking prisoners in peace time concessions of rights to subjects of other states for the purpose of private trade and intercourse &c.) depend principally upon the customs of nations custom being the inner universality of behaviour maintained in all circumstances [A]

340 It is its particular entities that states enter into relations with one another. Hence their relations are on the large scale a maelstrom of external contingency and the inner particularity of passion private interests and selfish ends abilities and virtues vices force and wrong. All these whirl together and in their vortex the ethical whole itself the autonomy of the state is exposed to contingency. The principles of the national minds are wholly restricted on account of their particularity for it is in this par-

ticularity that as existent individuals they have their objective actuality and their self-consciousness. Their deeds and destinies in their reciprocal relations to one another are the dialectic of the finitude of these minds and out of it arises the universal mind the mind of the world free from all restriction producing itself as that which exercises its right—and its right is the highest right of all—over these finite minds in the history of the world which is the world's court of judgement.

C World History

341 The element in which the universal mind exists in art is intuition and imagery in religion feeling and representative thinking in philosophy pure freedom of thought. In world history this element is the actuality of mind in its whole compass of internality and externality alike. World history is a court of judgement because in its absolute universality the particular—the *Penates* civil society and the national minds in their variegated actuality—is present as only ideal and the movement of mind in this element is the exhibition of that fact.

342 Further world history is not the verdict of mere might—the abstract and non-rational inevitability of a blind destiny. On the contrary since mind is implicitly and actually reason and reason is explicit to itself in mind as knowledge world history is the necessary development out of the concept of mind's freedom alone of the moments of reason and so of the self-consciousness and freedom of mind. This development is the interpretation and actualization of the universal mind.

343 The history of mind is its own act. Mind is only what it does and its act is to make itself the object of its own consciousness. In history its act is to gain consciousness of itself as mind to apprehend itself in its interpretation of itself to itself. This apprehension is its being and its principle and the completion of apprehension at one stage is at the same time the rejection of that stage and its transition to a higher. To use abstract phraseology the mind apprehending this apprehension and/or in other words returning to itself again out of its rejection of this lower stage of apprehension is the mind of the stage higher than that on which it stood in its earlier apprehension.

The question of the perfectibility and finality of human Reason rises here. The world history maintained this perfectibility has involved the method of

Paragraphs 34 60 are compressed summary of the Philosophy of History—E

ETHICAL LIFE

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 abstract insat able self will.

358 (4) The Germanic realm.

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356 () The Greek realm.

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357 (3) The Roman lm

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360 Th two realms st d dist washed f m
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law and an explicitly established rational constitution its autonomy is formal only and is not sovereignty

It would be contrary even to commonplace ideas to call patriarchal conditions a constitution or a people under patriarchal government a state or its independence sovereignty. Hence before history actually begins we have on the one hand dull innocence devoid of interest and on the other the courage of revenge and of the struggle for formal recognition (see Paragraph 331 and Remark to Paragraph 57)

350 It is the absolute right of the Idea to step into existence in clear cut laws and objective institutions beginning with marriage and agriculture (see Remark to Paragraph 93) whether this right be actualized in the form of divine legislation and favour or in the form of force and wrong. This right is the right of heroes to found states.

351 The same consideration justifies civilized nations in regarding and treating as barbarians those who lag behind them in institutions which are the essential moments of the state. Thus a pastoral people may treat hunters as barbarians and both of these are barbarians from the point of view of agriculturists &c. The civilized nation is conscious that the rights of barbarians are unequal to its own and treats their autonomy as only a formality.

When wars and disputes arise in such circumstances the trait which gives them a significance for world history is the fact that they are struggles for recognition in connection with something of specific interest.

352 The concrete Ideas—the minds of the nations—have their truth and their destiny in the concrete Idea which is absolute universality in the world mind. Around its throne they stand as the executors of its actualization and as signs and ornaments of its grandeur. As mind it is nothing but its active movement toward absolute knowledge of itself and therefore toward freeing its consciousness from the form of natural immediacy and so coming to itself. Therefore the principles of the formations of this self-consciousness in the course of its liberation—the world historical realms—are four in number.

endowed with knowledge so that mind is both the positive content and filling of mind and also the individual self-awareness which is the living form of mind. This principle is ethical individuality as beauty.

The third principle is the inward deepening of this individual self-awareness and knowledge until it reaches abstract universality and therefore infinite opposition to the objective world which in the same process has become mind forsaken.

The principle of the fourth formation is the conversion of this opposition so that mind receives in its inner life its truth and concrete essence while in objectivity it is at home and reconciled with itself. The mind which has thus reverted to the substantiality with which it began is the mind which has returned out of the infinite opposition and which consequently engenders and knows this its truth as thought and as a world of actual laws.

354 In accordance with these four principles the world historical realms are the following: (1) the Oriental, (2) the Greek, (3) the Roman, (4) the Germanic.

355 (1) The Oriental realm.

The world view of this first realm is substantial without inward division and it arises in natural communities patriarchally governed. According to this view the mundane form of government is theocratic: the ruler is also a high priest or God himself; constitution and legislation are at the same time religion; while religious and moral command or usages rather are at the same time natural and positive law. In the magnificence of this regime as a whole individual personality loses its rights and perishes; the external world of nature is either directly divine or else God's ornament; and the history of the actual poetry. Distinctions are developed in customs, government and state on their many sides and in default of laws and amidst the simplicity of manners they become unwieldy, diffuse and superstitious ceremonies; the accidents of personal power and arbitrary rule and class differences become crystallized into hereditary castes. Hence in the Oriental state nothing is fixed and what is stable is fossilized; it lies therefore only in an outward movement which becomes in the end an elemental fury and desolation. Its inner calm is merely the calm of non-political life and immersion in feeling and exhaustion.

At this substantial natural mentality is a moment in the development of the state and the point at

ADDITIONS

1 P or 2 P

Laws are few kinds—laws of nature and laws of the land. The laws of nature simply are what they are and are valid as they are. They are not subject to encroachment though in certain cases man may transgress them. To know the laws of nature we must learn to know nature since its laws are fixed and it is only our ideas about them that can be false. The measure of these laws is inside us knowing them does not mean that they do not assist their percepts. Knowledge of the laws can expand, but is all. Knowledge of the laws of the land is in every way similar but in no other way. These laws too we learn to know just as they exist in the citizen's knowledge, there is no real less of this sort and the student of positive law equally is not what is given. But the difference in the case of laws of the land is that they are used by spirit of reflection and not diversive force draws the truth to the fact.

traditions. The world of today has made a more recent effort to make laws fixed because while among the ancients the existing laws were still respected and revered, nowadays the civilization of the present has taken new things and the right has placed itself at the head of everything which is to be done.

that the right is (bept-ment verth right,) true thought is a true principle about the thing but the concept of the thing itself. The concept of the thing does not come in by nature. Any law has fingers and may take brush and color but the concept does not make him painter. The same is true about thinking. The thought of the right is surely the thought that everybody possesses the first hand the contrary exact thinking is coming and preparing the thought, and our perceptions should therefore be some thing.

P or 2 P

The concept of its objective existence are two sides of the same thing distinct and united. The soul and body. The body is the same as the soul and yet both may be spoken of as living. The soul is a soul without body would not be living. The body would be body without soul. Hence the determinate existence of the concept is as body while the body is the soul which brought it into being. The seed has the tree implicit within them and so the tree while strength although they are not yet the tree itself. The tree corresponds in detail with the simple concepts of the seed. If the body does not touch the soul, it is poor sort of being. The unity of determinate existence and the concept of body and soul, is the Idea. The unity is not mere harmony but rather complete interpenetration. The Idea is the which is in some way the Idea. The Idea is right as freedom and if it is to be truly understood, it must be known both in its concept and in the determinate existence of that concept.

[i.e. with the inconsistencies in an system of positive law (see e.g. Herodotus on actions in Roman law in the Remarks to Paragraphs 3 and 8) as well as with contradictory judgments, see e.g. Remark to Paragraph 3]

valid simply because it exists. The contrary every one demands that it shall comply with his private interest. Here then an antagonism is possible between what ought to be and what is, between the absolute right which stands unaltered and the relative determinate. What is to be recognized as a scheme and conflict of this sort is to be found only in the theory of mind, and because mind's power seems therefore to lead to discontent and unhappiness. men are then thrown back from the rationalism of the contemplation of nature and set themselves to take nature as an example. But it is precisely in these clashes between what is objectively right and what rationalism makes pass as right that there lies the need of a duty for the fundamentals of right. In the right man must meet with his own reason consequently he must consider the rationality of the right, and this is the task of our science in contrast with the positive study of law which often has to do only with con-

its arbitrary force so that the true reconciliation which discloses the state as the image and actuality of reason has become objective. In the state self-consciousness finds in an organic development the actuality of its substantive knowing and willing; in religion it finds the feeling

and the representation of this its own truth as an ideal essentiality. While in philosophy science it finds the free comprehension and knowledge of this truth as one and the same in its mutually complementary manifestations i.e. in the state, in nature, and in the ideal world.

Brahma. In fact in this universality every difference in the form of feeling—in friendship and love
 has disappeared. Here we realize truly — that an
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6 Par graph 6
 This second moment appears as the moment opposed to the first that is to be grasped in its general character. It is intrinsically freed in although it does not constitute the whole of freedom. Here the ego leaves undisturbed indeterminacy and proceeds to differentiate itself to posit a content object and set against determinacy by which is to pure willing but the willing of something. A will which, like that expounded in Paragraph 5 wills by the abstract universality, wills thing and is therefore will: I. The particular volition is restricted since the will, in order to be will, must restrict itself in some way. The fact that the will wills

8 Par graph 8
 The individuality of the will determinacy properly belongs to the understanding and is in the first instance a speculative. The will is determined in two senses, i.e. in both content and form. Its determinacy in form is its purpose and the fulfillment of

ne-sided as the will rooted in sheer determinacy

7 Par graph 7
 What is properly called the will includes in itself both the preceding moments. The ego as such is in the first place pre-act, i.e. the universal which is by itself. But this universal determines itself and that extends no longer by itself but posits itself as an end and ceases to be the universal. Now the third moment is that in its restriction, in this the will is by itself in determining itself it still remains by itself and does not cease to keep hold of the universal. This moment, then, is the creation of freedom, till the two previous moments have been found both through and through by fact and proved.

Freedom in this sense however we already possess

[Here it is to be known that the passage view the all determinations and the only the indeterminacy, or the freedom.]
 [Let the pure existence of freedom is alone and negative because in the restriction of everything determinate and is turned in upon itself.]

9 Par graph 9
 The will which is will only in accordance with its concept is implicitly free but at the same time it is also unfree if it would first become truly free

Par graph 10

An animal too has impulses, desires inclinations, but it has will and must obey its impulse if the external determines it. Man however though undetermined, stands above his impulses and may make them his own put them in himself as his own. An

3 *Paragraph 2*

Philosophy forms a circle. It has a beginning and an immediate factor (for it must somehow make a start) something unproved which is not a result. But the *terminus a quo* of philosophy is simply relative since it must appear in another terminus as a *terminus ad quem*. Philosophy is a sequence which does not hang in the air: it is not something which begins from nothing at all: on the contrary it circles back into itself.

4 *Paragraph 4*

The freedom of the will is best explained by a reference to the physical world. Freedom I mean is just as fundamental a character of the will as weight is of bodies. If we say matter is heavy we might mean that it is preponderant only contingently but it is nothing of the kind for nothing in matter is without weight. Matter is rather weight itself. Heaviness constitutes the body and is the body. The same is the case with freedom and the will: since the free entity is the will. Will without freedom is an empty word while freedom is actual only as well as subject.

The following points should be noted about the connexion between the will and thought. Mind is in principle thinking and man is distinguished from beast in virtue of this. But it must not be imagined that man is half thought and half will and that he keeps thought in one pocket and will in another for this would be a foolish idea. The distinction between thought and will is only that between the theoretical attitude and the practical. These however are surely not two faculties: the will is rather a special way of thinking: thinking translated into existence: thinking as the urge to give itself existence.

This distinction between thought and will may be described as follows. In thinking an object I make it into thought and deprive it of its sensuous aspect. I make it into something which is directly and essentially mine. Since it is in thought that I am first by myself I do not penetrate an object until I understand it: it then ceases to stand over against me and I have taken from it the character of its own which it had in opposition to me. Just as Adam said: 'Eve, Thou art flesh of my flesh and bone of my bone: so mind is yours. This is mind of my mind.'

The ego is thought and substance. When I say: 'I exist' I abandon all my particular characteristics: my disposition, natural endowment, knowledge.

The practical attitude on the other hand begins with thinking in the ego itself and it appears first as though opposed to thinking because I must set it up as a sort of redemption. In so far as I am practical or active I am in so far as I do something. I determine myself and to determine myself simply means to posit a difference. But these differences which I posit are still mine all the same: the determinate volitions are mine and the aims which I struggle to realize belong to me. If I now let these determinations and differences go: if I posit them in the so-called external world they none the less still remain mine. They are what I have done: what I have made: they bear the trace of my mind.

Such is the distinction between the theoretical attitude and the practical: but now the tie between them must be described. The theoretical is essentially contained in the practical: we must decide against the idea that the two are separate because we cannot have a will without intelligence. On the contrary the will contains the theoretical in itself. The will determines.

subject of its desire. A man however can just as little be theoretical or think without a will because in thinking he is of necessity being active. The content of something thought has the form of being but.

both moments are present.

5 *Paragraph 5*

In this element of the will is rooted my ability to free myself from everything: I abandon everything abstract from everything. Mind alone can sacrifice even.

the Underlying conceives it as one-sided but a one-sided view always contains an essential factor and therefore is not to be discarded. But the Understanding is defective in exactly a single one-sided factor to be the soul and the supreme one.

In history this form of freedom is a frequent phenomenon. Amongst the Hindoos for instance the highest life is held to be persistence in the bare knowledge of oneself: simple identity with oneself fixation in this empty space of oneself: life as light remains colourless in pure vision and the sacrifice.

ADDITIONS

and body gets to be dead (it is) has to complete itself and itself

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will be free m

7 P. 17 p. 2

Infinity has rightly been represented figuratively
as circle because straight line goes and f
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8 Par. 17 p. 2

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Less varied are the ways in which we may take
object. We may understand by it everything
which makes object to ourselves, with the ob-
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before minds. We also include this cat-
egory the immediacy of existence in which the end is
be realized even if the end is to be with the singu-
lar and object the less call it objects
its appearance. But the object will is also
that in which truth lies, and thus God will the
thical will is an object. Finally we may
also call objects the will which is entirely ab-
sorbed in its object as for example the will of the
child which is rooted in trust and lacks subjective
freedom. But will of the slave which does it
yet know itself as free and that too it is will
less will in this sense it will is objective which
acts under the guidance of an alien the ty and

C. consequently, might use here the
which would begin with the best point of view

grasping the abstract concept itself which is
the shape in which the point is embodied, if
we then refer to the secondary thing and the equi-
valence of itself first in the total world. The
development we are dealing with is the two by the ob-
ject of form reveal themselves to self-subsistent
but as false

P. 17 p. 33

I perceive [Richt [R. at i. j. u.] in this book
we mean to merely with generally directed
by the word simply will law but also in reality
the call and would history these being just as
much the concept because the concept brings
the history there the true system. If the free will
as it remain abstract it must in the first place

with as property the philosophical and historical
right. Thus there also belong property in
its mediated form as coexistence, and right in its in-

impulse is something natural but to put it into my ego depends on my will which thus cannot fall back on the plea that the impulse has its basis in nature

11 *Paragraph 13*

A will which resolves on nothing is no actual will a characterless man never reaches a decision Therea

renounce the totality after which it hankers. How ever beautiful such a disposition may be it is nevertheless dead. As Goethe says: Whoever wills great achievement must be able to restrict himself. Only by resolving can a man step into actuality, however bitter to him his resolve may be. Inertia lacks the will to abandon the inward brooding which allows it to retain everything as a possibility. But possibility is still less than actuality. The will which is sure of itself does not *ex ipso* lose itself in its determinate volition.

12 *Paragraph 15*

Since it is possible for me to determine myself in this way or that, or in other words since I can choose I possess the arbitrary will and to possess this is what is usually called freedom. The choice which I have is grounded in the universality of the will in the fact that I can make this or that mine. This thing that is mine is particular in content and therefore not adequate to me and so is separate from me: it is only potentially mine while I am the potentiality of linking myself to it. Choice therefore is grounded in the indeterminacy of the ego and the determinacy of a content. Thus the will on account of this content is not free although it has an infinite aspect in virtue of its form. No single content is adequate to it and in no single content is it really at grips with itself. Arbitrariness implies that the content is made mine not by the nature of my will but by chance. Thus I am dependent on this content and this is the contradiction lying in arbitrariness. The man in the street thinks he is free if it is open to him to act as he pleases but his very arbitrariness implies that he is not free. When I will what is rational then I am acting not as a particular individual but in accordance with the concepts of ethics in general. In another calculation what I vindicate is not myself but the thing. But in doing a perverse action it is my singularity that I bring on to the centre of the stage. The rational is the high road where everyone travels where no one

has no mannerisms. His figures themselves declare themselves. But the worse the artist is, the more he sees in his work the artist his singularity, his arbitrariness. If you stop at the consideration that having an arbitrary will a man can will this or that, then of course his freedom consists in that ability. But if you keep firmly in view that the content of his willing is a given one, then he is determined thereby and in that respect at all events is free no longer.

13 *Paragraph 17*

Impulses and inclinations are in the first instance content of the will and reflection alone stands above them. But these impulses begin to impel themselves, they drive one another, stir each other, and all of them demand satisfaction. Now if I neglect all the others and put myself in one of them by itself I find myself under a restriction which destroys me since just by so doing I have surrendered my universality which is a system of all impulses. But it is just as little help to make a mere hierarchy of impulses—a device to which the Understanding usually resorts—since no criterion for so ordering them is available here and therefore the demand for such a hierarchy runs out in the tedium of generalities.

14 *Paragraph 18*

The Christian doctrine that man is by nature evil is loftier than the other which takes him to be by nature good. This doctrine is to be understood as follows in accordance with the philosophical excesses of it. As modern man is a free substance which is in the position of not allowing itself to be determined by natural impulse. When man's condition is immediate and mentally undeveloped he is in a situation in which he ought not to be freed from which he must free himself. This is the meaning of the doctrine of original sin without which Christianity would not be the religion of freedom.

15 *Paragraph 20*

In happiness thought has already a mastery over the natural force of impulses since the thinker is not content with the momentary but requires happiness in a whole. This requirement is connected with education in that it is education which vindicates a universal. In the ideal of happiness however there are two moments: (i) a universal which is absolute particularly but (ii) since the content of this universal is still only universal pleasure the latter appears here once again the singular the particular is something finite and a return must therefore be made to impulse. Since the content of happiness lies in everyone's subjectivity and feeling this universal end is for its particular a consequence, namely that it is still not present in it any genuine unity of form and content.

16 *Paragraph 21*

Truth in philosophy manifests itself as a desire, the external reality corresponds. The amplification of the body is the external reality while the universal is the concept but

[Farther is general of this doctrine see Addition 9, Paragraph 39 below and the Addition to L. C. § 14.]

ADDITIONS

soul and body ght t b dequat t an th has t y t compl t ed its endless ret rn into itself
 Theret re corpse is still an exstent but is just
 excess tru ex-ence th co cept has left t d
 for this reaso dead body p trefies. So will is
 truly wil lv when what t wills, is co tent, is
 adenal with itself when that is to say freed m
 wills freed m.

- 4

subst b t m ch y m
 mains th soul which b lds erythng t g th a d
 --- re tution ly thro gh

stelf.

3 For gr ph 26

It usually pposed th t. bjecte and bjective
 only in too ti t an th B t this

--- 15 111 1111

C nseq ently y might raise h re to 4
 why w d t begin t th higest point i w th
 th co cret ly true. Th ansr is that t is p ceive
 th truth in th f rm f es lth t w are look
 n. f and f this p rpose t is esse tial t tart by

f th pure eg

N less varied are th ways in which w may tak
 bjecte. W may understand by t everything
 hch v mak an bject f urselfs, weth b-
 jecte e ctualities pure thoughts hch w bring
 bel re ou minds. W also incl d der this cat
 g ry th immediacy f iust nce in which th d is
 to be realized even if th end is itself wh lly singu-
 lar dsubjecte w th less call t bjecte

its ppearance B t th bjecte will is also
 that in which truth lies, and thus God ill th
 ethical will, is an bjective ne Finally w may
 also call bjective th will hch is entirely b-
 sorbed in its bject, as f xampl th will f th
 child, which is rooted in trust and lacks subjecte
 freedom and th will f th sls which does t
 yet know itself as free and that ce tis will
 less ill. In this sense any will is bjective which
 cts under the guidance f an alien th rity and

b t as false

P rgr ph 33

In speaking f Right [R ht jwr] in this book,
 w mea t mer l w t is ge rally d rstood
 by th w rd m ly cr il law b t also m rably
 ethical lfl and w ld but ry these bel ng just as
 in ch t t ps because th co cept bngs
 th lhts together int tru system. If th free will
 is t t remain bstract, it must in th first place

with as proper th sph re f f rmal and bstra t
 right. T this sphere there also bel ng property in
 its mediated f rm as co tra t, and right in its m-

frangement as crime and punishment The freedom which we have here is what is called a person i.e. the subject who is free free indeed in his own eyes and who gives himself an embodiment in things

The sheer immediacy of external fact however is not an adequate embodiment of freedom and the negation of this immediacy is the sphere of morality I am now free not merely in this immediate thing but also after the immediacy

I.e. I am free sphere the my purpose b l shed as of n here is the uni

s ould n t m t

in

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it

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the

Moral ty and formal r ght are two abstract moments whose truth is ethical life alone Hence ethical life is the unity of the will in its concept with the will of the individual i.e. of th

we see substantial unity disappearing along with ethical life proper the family falls asunder and its members relate themselves to each other

only bor

stage—

the state

is just present at the third

stage the stage of ethical life and the stage of mind in which the prodigious unification of self substantial individuality with universal substantiality has been achieved. The right of the state therefore stands above the preceding stages it is freedom in its most concrete shape and as such is subordinate to one thing alone—the supreme absolute truth of the world mind.

21 Paragraph 34

When I say that the absolutely free will at the sta

el a v lop d idea of the will

But at the start the concept is abstract which means that all its determinations are contained within it but still only contained within it they are only implicit and not yet developed to be

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wa

ity

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will will the two is the master of even though it is within myself Thus at that level the will has in itself the different factors of singularity and unity

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be

fir

va

of

v

it acq uies the character

of being something determinate It is abstract identity which here constitutes determinacy the will therefore becomes a single will a person

22 Paragraph 35

The abstract will consciously self-contained is personality Man's chief glory is to be a person and yet in spite of that the bare abstraction person is somewhat contemptuous in its very expression Person is essentially different from subject since subject is only the possibility of personality every living thing of an

then is

personal

person is a notion of freedom aware of its sheer independence As this person I know myself to be free in myself I can abstract from everything since nothing confronts me save pure personality and yet as this person I am something wholly determinate e.g. I am of a certain age a certain stature I occupy this space and so on through whatever other details I like Thus personality is at once the sublime and the trivial

purely

limita

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which now is merely natural contains or could endue

23 Paragraph 37

S

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Limited sympathies It is uncultured people who insist most on their rights when they look on other aspects of things Thus abstract right is nothing but a bare possibility and it is in contrast with the whole range of the situation something formal On that account it has a right gives one a warrant but it is not absolutely necessary that one should insist on one's rights because that is only one aspect of the whole situation That is to say possibility is being which has the significance of all or not being

24 Paragraph 41

The rational property is to be free and not in the satisfaction of needs but in the possession of the pure subjectivity of personality In his property a person exists for the first time as reason Even if my freedom is here realized first of all in natural

subtlety because if I take possession of a field and plough it it is not only the furrow that is my property but the field itself.

remain a *res nullius* nor does it remain its own property. Further even if the matter remains external to the form which I have given to the object the form is precisely a sign that I claim the thing as mine. The thing therefore does not remain external to my will or outside what I have willed. Hence there is nothing left to be taken into possession by someone else.

33 Paragraph 54

These modes of taking possession involve the advance from the category of singularity to that of universality. It is only of a single thing that we can

thing as a whole is mine not simply the part which I can take into my possession physically.

with my body. But here come the second point external objects extend further than I can grasp. Therefore whatever I have in my grasp is linked with

tool which no animal possesses—can itself be a means to grasping something else. If I am in possession of something the intellect immediately draws the inference that it is not only the immediate object in my grasp which is mine but also what is connected with it. At this point positive law must enact its statutes since nothing further on this topic can be deduced from the concept.

35 Paragraph 56

This forming of an object may in practice assume the most various guises. In farming and I impose a form on it. Where inorganic objects are concerned the imposition of a form is not indirect. For example if I build a wall I have not imposed a form on the air but I have formed something for utilizing the air through I am not so much concerned with liberty to call the air mine since I have not formed the air itself. Further the preserving of game may be regarded as a way of forming game for I preserve it with a view to maintaining the species (The same is true of) the taming of animals. In all of these that is a mediated way of forming them and it depends on me to a greater extent.

36 Paragraph 57

To adhere to man's absolute freedom—object of the matter—is essential to condemn slavery.

lies at the door not simply of enslavers or conquerors but of the slaves and the conquered themselves.

wrong has validity and so is necessarily in place.

37 Paragraph 58

To take possession by marking a thing is of all

by a colour for instance signifies citizenship of a state though the colour has no connexion with the nation and represents not itself but the nation. By being able to give a mark to things and thereby to acquire them man just shows his mastery over things.

implies a still more universal relation to the thing because when it is used the thing in its particularity is not recognized but is negated by the user. The thing is reduced to a means to the satisfaction of my need. When I and the thing meet an identity is established and therefore one or other must lose its

be destroyed while I preserve myself. This inference is the pre-emptive and the principle of the organ.

39 Paragraph 61

The relation of use to property is the same as that of substance to accident. In itself force is its manifestation. Just as force is only in manifesting itself so arable land is arable only in bearing crops. Thus he who has the use of a field is the owner of the whole land it is an empty abstraction to recognize still another property in the object itself.

40 Paragraph 63

The qualitative disappears here in the form of the quantitative. This is to say when I speak of 'need' I use a term under which the most various things may be brought they share it in common and so become commensurable. The advance of thought

my purpose. I mark it myself by giving it does it have it characteristically by itself by itself it does. [i.e. the thing is a direct permanent use of it—see Paragraph 61]

here there is from thing' specific quantity:
character which is indifferent quantity is quan-
tity. A similar thing occurs in mathematics. The dis-
tinction of circle and ellipse and parabola reveals
the difference between them in this respect.

moment that is the unity of these two taking pos-
session of the thing by alienating it.

43 Paragr 46

It is in this case that a slave has a
boasted right to free himself and that if any
slaveholder has ethical life by buying himself to
freedom and in order this is an absolute nullity of
every law has war against it repudiate this contract.
The same is the case if I have my religious feeling in

ward
A
m
The
ll
I d

my ethical being

44 Paragr 46

The distinction here explained is that between
slave and modern domestic servant of the lord
The Athenian slave perhaps had an easier occurrence

thing with that the same time being to
his value. If family can then sell pawn its
goods, it is that which we find their value. But in
this form of property is in accordance with the
concept of property which restricts ownership
(if that is testamentary trusts) are mostly in
course of disappearing

4 Paragr 46

Prescription is the preempt that I have
created regard to the gas mine. If thing is to
remain mine my will must continue in it and using
it keep it, that is why this continues. That
public memorials may be that I was frequent-
ly shown in the Riforma in the case of
foundations of monuments &c. of the Ma. The
spirit of the old faith of these foundations had
faded, and consequently they would be seized as private
property.

4 Paragr 46

When prescription is alienated the direct
expression of the alienated alienation proper
is an expression of my will of my will I refer to
regard to thing as mine. The ethical matter may also
be so considered then too. It cannot be true
mode of taking possession. I take possession of the
thing directly the first moment of property. Use
is likewise a way of acquiring property. The thing is

[Prices are regulated by rare price this is

radicalism

45 Paragr 47

A single person I need hardly say is some thing,
subordinate and as such must be dedicated himself
to the ethical whole. If the state claims life
the individual must surrender it. But may we
take his will? Suicide may be the first glance be
regarded as an ethical courage but only the false
courage of tailors and errand boys. Ought we
to be killed for as we return to the state in the
distracted which leads to the ethical of damnable
questions as I ought to take my life? The an-
swer will be that I, as this individual am, am so-
thing of my life because life as the empirical human
sum of my civility is thing external to person-
ality which is life is this immediate personality. Thus
when person is said to have right his life
the words are contradictory because they mean
that person has right himself. But he has
such right since he does stand before himself and
he cannot pass; deprive himself of himself and
he is destroyed by fire and when Brutus fell
his will of this was the ethical of his gain. It
has personality. But as for an unqualified right to
murder, we must simply say that there is no such
thing, even if heroes.

46 Paragr 47

In the ethical property the strength of
mine will that I say is the ultimate free-
dom of the objects will should become eternal
and raise itself to this degree of actuality in the

[The thing possesses is part of the ethical on the
the thing is the particular characteristics (see
Paragr 39) All that is the ethical of the
and is external to the ethical of the
the thing is the ethical of the ethical because it is
thing completely mine. Hence the ethical of the ethical]

in contract my will still has the character this though it has it in community with another will. The universal will however still appears here only in the form and guise of community.

47 *Parag aph 75*

It has recently become very fashionable to regard the state as a contract of all with all. Everyone makes a contract with the monarch or the argument runs, and he again with his subjects. This point of view arises from thinking superficially of a mere unity of different wills. In contract however there are two identical wills, who are both persons and wish to remain property owners. Thus contract proceeds from a person's arbitrary will, an original which marriage too has in common with contract. But the case is quite different with the state: it does not lie with an individual's arbitrary will to separate himself from the state, because we are already citizens of the state by birth. The rational end of man is life in the state, and if there is no state there reason at once demands that one be founded. Permission to enter a state or leave it must be given by the state; this then is not a matter which depends on an individual's arbitrary will and therefore the state does not rest on contract, for contract presupposes arbitrariness. It is false to maintain that the foundation of the state is something at the option of all its members. It is nearer the truth to say that it is absolutely necessary for every individual to be a citizen. The great advance of the state in modern times is that nowadays all the citizens have one and the same end, an absolute and permanent end: it is no longer open to individuals as it was in the Middle Ages to make private stipulations in connexion with it.

48 *Pa ag aph 76*

Contract implies two consenting parties and two things. That is to say, in a contract my purpose is both to acquire property and to surrender it. Contract is real when the action of both parties is complete, i.e. when both surrender and both acquire property, and when both remain property owners even in the act of surrender. Contract is formal when only one of the parties acquires property or surrenders it.

49 *Pa agraph 78*

Just as in the theory of property we had the distinction between one's passive disposition and the substance of the matter and its property, so here in contract we have the difference between a common will—*caveant*—and a particular will—*performance*. It lies in the nature of contract

that theirs down opposite. Here there is no difference between the dumb declaration of will and the performance of what is willed.

50 *Pa ag aph 80*

In contract we drew the distinction between the covenant or stipulation (which made the property mine though it did not give me possession) and performance (which first gave me possession). Now if I am already the out and out owner of the property, the object of the pledge is to put me simultaneously in possession of the value of the property and thereby to guarantee the covenant's performance at the very time the covenant is made. Surety is a particular kind of pledge whereby someone gives his promise or pledges his credit as a guarantee for another's performance. Here a person fulfils the function which is fulfilled by a mere thing in the case of a pledge proper.

51 *Pa ag aph 81*

In contract we had the relation of two wills as a common will. But this identical will is only relatively universal, posited as universal, and so is still opposed to the particular will. In contract to be sure making a covenant entails the right to require its performance. But this performance is dependent again on the particular will which *qua* particular

start comes into view. If this negation is just what wrong is. In general terms the course of events is that the will is freed from its immediacy and thus there is evoked out of the common. If the particular will which then comes on the scene as opposed to the common will. In contract the parties still retain the reciprocal wills. Contract therefore is not yet beyond the stage of arbitrariness with the result that it remains at the mercy of wrong.

52 *Pa ag aph 82*

The principle of rights is the universal will receives its essential determinate character through the particular will and its relation with some thing which is inessential. Thus the relation of essence to appearance. Even if the appearance of a thing corresponds with the essence, it is not that from another point of view it is false correspondence with it. So appearance is the stage of contingency, necessary related to the essential. In law however appearance proceeds to become a thing. A thing is a determinate existence in and for itself, the essence the empty designation, a property of the essence.

Ceylon the is a tribe of traders who put down their property and wait quietly until others come to put

acc ce is in the right. I the case of fraud on the other
hand punishments come in because he is an in-
fringer of the right which is in question.

57 Par g ph 9

We go into the use of the word *crim* which
there is respect to the principal fright-
less of what seems right to me when
both sides the object and the subject are in-
fringed.

53 Par graph 83

acc ce putting t

3 P graph 93

On that has been said there can
be any heroes. They must be seen by
moralized duties. Their aim is right, neces-
sary and political and thus they pursue as their own
goal. The heroes who followed it introduced
— — — — — A culture did not do this as they

e

n

that is lack in *crim*

54. Par g ph 86

There is specific ground for what is inherently
right and the wrong which I hold to be right I also
defend some ground. The thing is
that the particular is to be with me if evidence

59 Par gr ph 94

Special to it must be paid at this point of the
difference between the right and the moral. I moral-
ity is what I am reflected into myself. There
also duality because the good is my aim and I
ought to determine myself by reason that I do.
The good is embodied in my decision and I alter
the good in myself. But this embodiment is partly
inward and the force can be coerced. The law of
the land therefore cannot possibly what reach as
far as man disposes because so far as his moral
conduct is concerned, he exists for himself
alone and for him that context is meaningless.

60 P g ph 96

How many crimes is to be punished cannot be
settled by more thinking. Political laws are neces-
sary. But with the difference of the political
but crime becomes less harsh day to day. The
analysis is so severely punished as he was before
years. It is exactly crimes and punishments
which change with the relation between them.

6 P gr ph 97

A crime alters something in some way and thus

55 Par g ph 87

At this second level of wrong doing the particular

and this decision is to be made.

56 P gr ph 89

In the case of making us wrong doing civil suits
the law punishment is imposed because in the
cases the wrongdoer has will do things in proportion

thing equal so that to punish is only
to find equality. Right in its entirety the
acts what infringes it and then displays its valid

ity and proves it elf to be a necessary mediated reality

62 *Pa agraph 99*

Feuerbach has his theory of punishment on threat and thinks that if anyone commits a crime despite the threat punishment must follow because the criminal was aware of it beforehand. But what about the justification of the threat? A threat pre-

and hence it is the very act of crime itself which vindicates itself—Now although requital can only simply be made specifically equal to the crime the case is otherwise with murder which is necessarily liable to the death penalty the reason is that since life is the full compass of a man's existence the punishment here cannot simply consist in a value for none is great enough but can consist only in taking away a second life

65 *P agraph 102*

In that condition of society when there are neither magistrates nor laws punishment always takes the form of revenge revenge remains defective inasmuch as it is the act of a subjective will and therefore does not correspond with its content. Those who administer justice are persons but their will is the universal will of the law and they intend to import into the punishment nothing except what is implied in the nature of the thing. The person regarded, however, views the wrong not as something qualitatively and quantitatively limited but only as wrong, pure and simple and in requiring the injury he may go too far and this would lead to a new wrong. Amongst uncivilized peoples revenge is deathless amongst the Arabs for instance it can be checked only by superior force or by the impossibility of its satisfaction. A residue of revenge still lingers in comparatively modern legislation in those cases where it is left to the option of individuals whether to prosecute or not.

66 *Pa agraph 104*

Truth entails that the concept shall be an I that this existence shall correspond with the concept. In the sphere of right the will is existent in something external but the necessity of requirement is that the will should be existent in something inward in itself. It must in its own eyes be subjectivity and have itself as its own object. This relation to itself is the moment of affirmation but it can attain it only by superseding its immediacy. The immediacy superseded in criminal deeds then through punishment is the ought the nullity of this nullity to affirmation is to morality.

67 *Pa agraph 106*

So far as right in the strict sense was concerned it was of no importance what my intention or my principle was. This question about the self-determination and motive of the will is left to the question about its purpose now enters at this point in connection with morality. Since man wishes to be judged in accordance with his own self-determined choices he is free in this relation to himself that with external situations may impose upon him. No one can break in upon the free conviction of mankind no violence can be done to it and the moral will therefore is inaccessible. Man's worth is estimated by reference to his inward conviction and hence the standpoint of morality is that of freedom away from itself.

68 *Pa agraph 7*

Thus the category of the objectivity of the will is once again in a whole which as subjectivity must

Coercion by psychological factors can concern only differences of quantity and quality in crime not the nature of crime itself and therefore any legal codes that may be products of the doctrine that crime is due to such coercion lack their proper foundation

63 *Paragraph 100*

R — — —

T — —

2 —

64 *Paragraph 101*

Retribution is the inner connection and the identity of two conceptions which are different in appearance and which also exist in the world as two distinct and opposite entities. Retribution is inflicted on the criminal and so this is the look of an alien destiny notwithstanding his own. Nevertheless punishment as we have seen is only crime made manifest. It is the second half which necessarily presupposes the first. *Prima facie* the objection to retribution is that it looks like something immoral like like revenge and that thus it may pass for something personal. Yet it is not something personal but the concept itself which carries out retribution. Vengeance is mine saith the Lord as the Bible says. And if something in the world pays calls up the idea of a particular caprice of the subjective will it must be pointed out that what is meant is only that the form which crime takes is turned round against itself. The Eumenides sleep but crime awakes them.

[P] J A Fe b ch (775 1833) See h Lek b h
d s g m p l ken Recht (8 1) (Bless neo)
[Romans 12 9]

ADDITIONS

also has object. It is in a subject that freed man can first be realized, since the object is the truth man has thus realized. But this indubitable fact of the will which has called subjectivity is different from the will which has deluded all its potential actuality. That is to say the will must free itself from this second delusion before subjectivity in order to become the fully actualized will. In reality it is man's prior intention that men must question the high worth of this intention consists precisely in the fact that man knows himself as both and is self-determined. The educated man allows himself to be trained in every thing by brute force and natural facts of children has moral will but lacks their purest decisions of them. The educated man however develops himself in the will that he himself shall be in everything he does.

64 Par graph 58

In reality self-determination is to be the right of the restless and the unity which can never remain than that is. It is in the sphere of the first will of the first time that it

the contrary fits by clarification implies the same thing the cellatist of the angel will and there is no addition. It is because the character of the sidedness vanishes the positing of two wills and a position bearing each the other. So far as rights are concerned, the difference whether someone else will my something in relation to me which I give my will embodiment in property. In reality however the will of the other too is in question and this position bearing cannot come to the fore before this point.

P 87 ph 14

If it is to be moral, it must in the first place respond with my purpose in the moral will has the right to refuse to recognize in the relation that if it is with a purpose to be as purpose. Purpose means only the form of principle that the moral will shall be within me as something inward. On the other hand in the second moment of the moral sphere questions may be asked about the intention behind the action. But the relation with the action in relation to the other and last moment is the relation.

the moral sphere becomes an "as" in my will in the object

73 Par t ph 5

I am chargeable with what lay in my purpose and this then imports a point in connection with the action in the action in the action.

7 Par t ph

the moral will has

gain

7 P 87 ph

I dealing the moral right I said [see Paragraph 58] that the trained principle is only that

something necessary in the preliminary way to path drama may meet diverge. With less I am thing except in relation to my freedom and my will is responsible for the deed not in so far as I know what I am doing. Oedipus, who killed his father with the knowledge, cannot be accused of parricide. The nice penal codes, however, treat

tached less weight to the subjective side of action to imputability than we do nowadays. That is why sanctuaries were instituted in ancient times for harbouring and protecting the fugitive from vengeance.

15 Paragraph 118

The transition to intention depends on the fact that I accept responsibility only for what my idea of the situation was. That is to say, the *c* can be imputed to me only what I knew of the circumstances.

Consequences in such a case represent the universal implicit within that state of affairs. Of course I can not foresee the consequences—they might be preventable—but I must be aware of the universal character of my isolated act. The important point here is not the isolated thing but the whole, and that depends not on the differential of the particular action but on its universal nature. Now the transition from purpose to intention lies in the fact that I ought to be aware not simply of my single action but also of the universal which is conjoined with it. The universal which comes on the scene here in this way is what I have willed: my intention.

76 Paragraph 119

It happens of course that circumstances may make an act on my scale rise to a greater or lesser degree. In a case of arson, for instance, the fire may not catch or alternatively it may take hold farther than the incendiary intended. In spite of this, however, we must not make this a distinction between good and bad luck, since in acting a man must lay his account with externality. The old proverb is correct: A flung stone is the devil's. To act is to expose oneself to bad luck. Thus bad luck has a right over me and is an embodiment of my own willing.

77 Paragraph 121

In my own eyes reflected into myself. If I am a particular in correlation with the externality of my action. My end constitutes the content of the act on the content determinant of the action. Murder and a son for example reuniversal and so not the positive content of my action *qua* the action of a subject. If one of these crimes has been committed its perpetrator may be asked why he committed it. The murderer was not doing for the sake of murdering the murderer had in view some particular positive end. But if we were to say that he murdered for the mere pleasure of murdering then the purely positive content of the subject could surely be pleasure.

Nowadays we insist on looking into men's hearts and so we presuppose a gulf between the objectivity

of his desire, the gratification of his passion. None the less, the good and the right are also a content of action, a content not purely natural but put there by my rationality. To make my freedom the content of what I will is a plain goal of my freedom itself. Therefore it is to take higher moral ground to find satisfaction in the action and to advance beyond the gulf between the self-consciousness of a man and the

his story and in individual biography.

78 Paragraph 123

Since the specifications of happiness are given, they are not true specifications of freedom, because freedom is not genuinely free in its own eyes except in the good, i.e. except when it is its own end. Consequently we may raise the question whether a man has the right to set before himself ends not freely chosen but resting solely on the fact that the subject is a living being. The fact that man is a living being, however, is not fortuitous but in conformity with reason, and to that extent he has a right to make his needs his end. There is nothing degrading in being alive and the end is no mode of intelligent being higher than life in which existence would be possible. It is only the raising of the given to something self-created which yields the higher orbit of the good, although this distinction implies no incompatibility between the two levels.

79 Paragraph 124

In my own eyes, volens et nolens, is right in the sense that we ought to will something great. But we must also be able to achieve it; otherwise the willing is nugatory. The laurels of mere willing are dry leaves that never are green.

80 Paragraph 126

The famous answer: *Je n'en ai pas la nécessité*! given to the lampooner who excused himself with the words: *Il faut du coq en tête* is appropriate at this point. Life consists to be necessary in face of the high realm of freedom. When St. Crispin stole leather to make shoes for the poor his action was moral but wrong, and so inadmissible.

81 Paragraph 127

Life as the sum of ends has a right against abstract right. If for example it is only by stealing bread that the wolf can be kept from the door, the act is of course an *act* when it is a *com* as property but it would be wrong to let this *act* as an ordinary theft. To refuse to allow a man in

[I eat this] he wills it, ah (Prope 11, 6)]
[By Rich 1 (D Ha 2)]

ADDITIONS

It is evident that the inherent nature of Good as a universal is abstract and cannot be accomplished so long as it remains abstract. To be accomplished it must acquire in due time the character of particularity.

I right.

8 Paragr ph 29

Every stage is really the Idea but the earlier stages contain it only in rather an abstract form. Thus for example even the ego as personality is already the Idea though in its most abstract shape. The good, therefore, is the Idea further determined, the unity of the concept of the will with the particular. It is something abstractly right, but something concrete whose contents are made up of both right and welfare alike.

83 Paragr ph 3

The good is the truth of the particular will, but the will is not that in which it posits itself. It is good by nature but it can become what it is only by its own labour. On the other hand, the good as self-part of the subjective will, is only an abstract with that real existence which it is acquiring for the first time through the rights of that will. Accordingly the development of the good has three stages: (i) The good should preserve itself in its own volition as particular will and I should know it. (ii) I should know myself as what is good and should develop its particular specifications. (iii) Finally the specifications of the good is to know account the particularization of the good as infinite objects to which I refer myself. Thus inward specifying of what good is its essence.

84 Paragr ph 33

From my point of view the essence of the will is duty. With my knowledge of its nature I feel that the good is in me and I am still going further than the abstract character of duty. I should do my duty for duty's sake and when I do my duty it is in truth sense my own objects by which I am bringing to realization. In doing my duty I am by myself and free. Thus I have emphasized this meaning of duty has constituted the moral Kantian philosophy and is loftiness of thought.

85 Paragr ph 34

This is the same question as was put to Jesus when someone wished to learn from him what he should

do. Neither

87 Paragr ph 35

We may speak in very lofty strains about duty and talk of the kind is purifying and broadens his

consciousness as I am shackled by the chains of particularity and consequently in attaining the position has risen to a higher ground, the ground of the modern world which for the first time has reached this consciousness, reached this unkingdom into itself. To the renaissance consciousness of earlier epochs had something external and general in its feeling of either religious law or conscience known to it. If so, thinking and knowing that which has brought it free from is thus that I think.

88 Paragr ph 37

When we speak of conscience, it may easily be

89 Paragr ph 38

If we look more closely at this process of evaporation and see how it proceeds it remains as disappearance into this simple concept and then he will be

[Luk 5]

[If the distinction between sense-consciousness and more highly developed types of consciousness see Remarks Paragraphs 34 and 35.]

condensed out of it again what we find is that it is primarily due to the fact that everything recognized as right and duty may be proved by discursive thinking to be nugatory restricted and in all respects not absolute. On the other hand just as subjectivity evaporates every content into itself so it may develop it out of itself once more. Everything which arises in the ethical sphere is produced by this activity of mind. The moral point of view however is defective because it is purely abstract. When I am aware of my freedom as the *substance* of my being I am inactive and do nothing. But if I proceed to act and look for principles on which to act I grope for something determinate and then demand its deduction from the concept of the free will. While therefore it is right enough to evaporate right and duty into subjectivity it is wrong if this abstract groundwork is not then condensed out again. It is only in times when the world of actuality is hollow spiritless and unstable that an individual may be allowed to take refuge from actuality in his inner life. Socrates lived at the time of the ruin of the Athenian democracy. His thought vaporized the world around him and he withdrew into himself to search there for the right and the good. Even in our day there are cases when reverence for the established order is more or less lacking man insists on having the authoritative as his *will* as that to which he has granted recognition.

90 Paragraph 139

The abstract self certainly which knows itself as the basis of everything has in it the potentiality either of willing the universality of the concept or alternatively of taking a particular content as a principle and realizing that. The second alternative is evil which therefore always includes the abstraction of self certainty. It is so only man who is good and he is good only because he can also be evil. Good and evil are inseparable and their separability is rooted in the fact that the concept becomes a *subject* to it. If and as object it *objectifies* the character of difference. The evil will will something opposed to the universality of the will while the good will acts in accordance with its true concept.

The difficulty of the question as to how the will can be evil as well as good usually arises because we think of the will as related to itself. If purely positively and because we represent its volition as something determinate confronting it the good. But the problem of the origin of evil may be more precisely put in the form: How does the negative come into the positive? If we begin by presupposing that in

covered in one another there is only a representation of their success on and juxtaposition so that it is from outside that the negative comes to the positive. But this cannot satisfy thought which demands a reason and a necessity and insists on apprehending the negative as itself rooted in the positive. Now the solution of the problem the way the concept treats the matter is already contained in the concept since the concept or to speak more concretely the Idea has it in its essence to differentiate itself and to posit itself negatively. If we adhere to the purely positive i.e. if we rest in the unmixed good which is supposed to be good at its source then we are accepting an empty category of the Understanding which clings to abstractions and one-sided categories of this kind and by the very asking of this question makes it a difficult one. If we begin with the standpoint of the concept however we apprehend the positive as activity and as self-determination. Evil and good alike have their origin in the will and the will in its concept is both good and evil.

The natural will is implicitly the contradiction of self-distinction of being both inwardness and also self-awareness. To maintain then that evil implies the further point that man is evil in so far as his will is natural would be to contradict the usual idea that it is just the natural will which is guiltless and good. But the natural will stands in opposition to the content of freedom and the child and the uneducated man whose wills are only natural are for that very reason liable to be called to account for their actions only in a less degree. Now when we speak of man we mean not the child but the self-conscious adult and when we speak of good we mean the knowledge of it. It is doubtless true that the natural is inherently innocent neither good nor bad but when it is drawn into the orbit of the will which is free and knows that it is free it acquires the character of not being free and is therefore evil. When man wills the natural it is no longer merely natural but the negative is opposed to the good i.e. to the concept of the will.

On the other hand if it is now objected that since evil is rooted in the concept and inevitable man would be guilty as if he committed it our reply must be that a man's decision is his own act and his own act is free, chosen and his own responsibility. In the religious legend it is that the man is as God when he knows good and evil and it is true that this lacks God's presence in such knowledge in that the voluntariness is not natural in voluntariness since on the contrary the decision is really the transcendence of this duality of good and evil. When the good and evil are placed before me I have a choice between them. I can decide between them and endow my subjectivity with either. Thus the nature of evil is that man may will it but need not.

[i both universal principle also aware
ness of self positively opposed to the universal]
[Genesis 3:5 i.e. it did give what had been forbidden]

gr. Paragr. ph. 240

Rep. use tat. th. king may g. f. rth. and per
vert th. evil will t. sh. w. f. g. dness. Alth. gh.
It cann. t. lie th. n. t. f. ev. l. t. can in est. t.
uh. sh. w. f. g. dness. S. ce. very. u. has.
post. aspect and as. th. categ. ry. of good as
opposed t. evil is lik. wise. d. ced. t. po. tivity. I.
- t. m. u. in. is. be. n. g. o. my. in. t.

is no l. g. q. est. f. some. else. statement
th. nity. t. is. q. est. ly. f. th. bject
himself. f. his. wn. v. ti. n. a. con. u. n
which al. bl. t. mak. th. ng. good. Th. d. fect
h. is th. i. ry. thing. is. s. ppo. ed. t. fall. w. th. n. th.
h. t. f. u. n. al. d. that. th. bsolut. ly.
h. id. be. nly. th.

This doctrine can only rise h. th. m. as
good. red. t. ruined by. th. nity. w. th. th. res. lt.
that. th. as. m. y. as. as. th. th.
tes. f. suppo. ung. th. t. vil. u. g. d. Ca. ust. th.

mad. bject. u.
b. t. l. t. this. p. incip. f. th. m. p. rt. cul.
th. sense. f. "p. rt. cul. sell. hood. wa. d. if. ed. by.
F. dnch. Sch. l. gel. w. th. ref. t. th. g. d.
and. th. b. t. ul. A. res. lt. h. m. d. bject.
g. dness. nly. im. g. f. my. victi. ees. g.
ppo. t. f. m. my. f. rts. al. and. d. pe. d. t. f.
its. p. pears. d. dis. app. ara. m. as. is. d.
and. mast. If. I. l. t. mys. l. t. som. thing. b. j.
u. t. t. an. shes. t. th. sam. m. m. t. bef. re. my.
y. d. so. l. h. p. t. f. th. ng. ss. m.
m. na. g. h. pes. from. th. d. pths. d. nihilat. n.
th. m. This. p. em. type. f. bjectivism. ca. m. rge.
ly. in. period. I. d. d. cult. wh. faith. has.
t. ts. se. us. ss. and. its. es. ce. is. simply. all. is.
nity.

9. P. gr. ph. 4

Each. f. th. tw. p. n. ciples. hith. rt. discuss. d.
nam. ly. g. d. in. th. b. tr. t. d. n. scien. e. is. d.
f. tu. in. h. el. g. ts. ppo. t. G. d. in. th. b. t. t.
porates. into. som. th. n. m. p. t. ly. pow. less. in.
t. which. I. may. t. od. ce. y. and. ev. ry. tent.
wh. l. th. subject. ty. f. mind. b. comes. just. as.
w. rthless. beca. se. th. l. cks. y. bject. sign. f. ca.
Thus. I. gung. may. use. f. bject. o. der. in.
hi. h. ma. gladly. degrad. him. self. t. servit. d. d.
t. tal. bject. id. nly. t. cap. th. t. rm. t. f.
culty. and. egal. M. y. Fr. testa. ts. h. re.
ntly. g. t. th. R. ma. Cath. l. Ch. h.
d. they. h. e. d. ne. so. beca. se. th. y. f. d. their.
inner. lif. w. rthless. d. gra. ped. t. som. thing. fixed.

[F. f. rbe. mme. Ficht. news. with. ref.
rences. see. g. H. y. f. PA. ph. 48. ff.]

jective side Ethical life is more than the subjective form and the self determination of the will in addition it has as its content the concept of the will namely freedom The right and the moral cannot exist independently they must have the ethical as their

Only the infinite the Idea is actual Right exists only as a branch of a whole unlike the ivy which twines itself round a tree firmly rooted on its own account

93 Paragraph 144

Throughout ethical life the objective and subjective moments are alike present but both of them

say that not we are ethical unselfconsciously In this sense Antigone proclaims that no one knows whence the laws come they are everlasting i.e. their determinate character is absolute and has its source in the nature of the thing None the less however the substance of ethical life has a consciousness also though the status of this consciousness is never higher than that of being one moment

94 Paragraph 145

Since the laws and institutions of the ethical order make up the concept of freedom they are the substance or universal essence of individuals who are thus related to them as accidents only Whether the individual exists or not is all on to the objective ethical order It alone is permanent and is the power regulating the life of individuals Thus the ethical order has been presented by mankind as eternal justice as gods absolutely existent in contrast with which the empty business of individuals is only a game of see-saw

95 Paragraph 149

Duty is a restriction only on the self-ill of subjectivity It stands thereby of that abstract good to which subjectivity adheres When we say

We want to be free the primary meaning of the words is simply We want abstract freedom and every institution and every organ of the state passes as a restriction on freedom of that kind Thus duty is not a restriction on freedom but only on freedom in the abstract i.e. on unfreedom Duty is the attainment of our essence the winning of positive freedom

[This is quoted of Sophocles *Antigone* 457 may be doubted that it is Hegel's lecture because the lines are quoted exactly in Remark 1 Paragraph 166]

96 Paragraph 150

To conform to the ethical order on this or that particular occasion is hardly enough to make a man virtuous he is virtuous only when this mode of behaviour is a fixed element in his character Virtue is rather like ethical virtuosity and the reason why we speak of virtue less nowadays than formerly is that ethical living is less like the form of a particular individual's character The French are particularly the people who speak most of virtue and the reason is that amongst them ethical life in the individual is more a matter of his own idiosyncrasies or a natural mode of conduct The Germans on the other hand are more thoughtful and amongst them the same content acquires the form of universality

97 Paragraph 151

Just as nature has its laws and as animals, trees, and the sun fulfil their law so custom (*Sitte*) is the law appropriate to free mind Right and morality are not yet what ethics (*Ethik*) is namely mind In right particularity is still not the particularity of the concept but only that of the natural will So too at the standpoint of morality self-consciousness is not yet *me*'s consciousness of itself At that level it is only the worth of the subject in himself that is in question i.e. the subject who determines himself by reference to good in contrast with *he* who still has self-will as the form of his willing Here however at the standpoint of ethics the will is mind's will and it has a content which is substantive and in conformity with itself

Education is the art of making men ethical. It begins with pupils whose life is at the instinctive level and shows them the way to a second birth the way to change the *first* instinctive nature into a *second* intellectual nature and makes this intellectual level habitual to them At this point the clash between the natural and the subjective will disappears, the subject's internal struggle disappears away To this extent habit is part of ethical life as it is of philosophy though also since such thought demands that mind be trained against capricious fancies and that these be destroyed and *vice versa* leave the way clear for rational thinking It is true that a man is killed by habit i.e. if he has once come to feel completely at home in life if he has become mentally and physically dull and if the clash between subjective consciousness and mental activity has disappeared for *me*'s sake only so far as he has not attained his end and wills to develop his potentialities and indicate himself struggling to attain it When this has been fully achieved activity and vitality are at an end and the result—I say of it rest in life—

{Hence (ethical) is tied to (cl)osed

mental physical death.

93. *Paragr ph 53*

The educational experiments, advocated by Rousseau, of withdrawing children from the common life of every day and bringing them up in the forest till, since then

exist. Thus it is right against external reality and against recessions from the family unity. On the other hand it repeats the feeling something subjective against which unity cannot make itself effective. The demand of unity can be sustained then only in relation to things as are by nature external and conditioned by feeling.

93. *Paragr ph 56*

Marriage is in essence an ethical act. Formally especially in marriage the natural law is transposed into physical and spiritual.

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if those things are not
if good state that the individual first comes into his right.

99. *Paragr ph 55*

A slave can have duties only if he has them. If all rights were put aside and all duties on the other hand which would be dissolved, since their duty also is the fundamental thing and it is to this that we have to refer to hold fast.

100. *Paragr ph 56*

Ethical life is abstract like the good but is intensely actual. Mind has actuality and individuals are accidents of this actuality. Thus in dealing with ethical life, only two ways are possible either we start from the substantiality of the ethical order or we proceed methodically and build on the basis of the individuals. This second point of view excluded because it leads only to juxtaposition. Mind, however, is something single, but it is the unity of the single and the universal.

Paragr ph 58

Love means in general that consciousness of my unity with another so that I am not in selfish isolation but in communion. Self-consciousness is as the renunciation of my independence and through knowing myself as the not of myself than another and of the other than me. Love however is feeling. The ethical life is the form of something natural. In this state feeling disappears there we are conscious of unity as law there the content must be rational and known to us. The first moment in love is that I do not wish to be self-subsistent independent person so and that if I were the I would feel defective and incomplete. The second moment is that I find in the other person something

field and purely subjective aspects in it.

it be that man must wait until his husband that he can best wish to rely upon special individual.

5. *Paragr ph 63*

The distinction between marriage and concubinage is that the latter is chiefly matter satisfying natural desire while this satisfaction is made secondary in the former. It is for this reason that physical experience may be mentioned in married life with tranquillity although the marriage tie itself is not a worldly pleasure sense of shame. But it is this content too that marriage must be regarded as in principle indissoluble for the end of marriage is the ethical end, and dissolutes that everything else is manifestly powerless against it and made subject to it. Marriage is to be dissolved because it passes since passion is bound that it. But it is not indissoluble except in principle since as Christ says,

Paragr ph 59

The right of the family properly consists in the fact that its substantiality should have determinate

only for the hardness of your heart is divorce established. Since marriage has feeling for one of its moments it is not absolute but weak and potentially dissoluble. Legislators however must make its dissolution as difficult as possible and uphold the right of the ethical order against caprice.

106 *Pa ag aph 164*

Friedrich von Schlegel in his *Lucinde* and a follower of his in the *Briefe eines Ungenannten* have put forward the view that the wedding ceremony is superfluous and a formality which might be discarded. Their reason is that love is so they say the substance of marriage and that the celebration therefore detracts from its worth. Surrender to sensual impulse is here represented as necessary to prove the freedom and inwardness of love—an argument not unknown to seducers.

It must be noticed in connexion with sex relations that a girl surrendering her body loses her honour. With a man however the case is otherwise because he has a field for ethical activity outside the family. A girl is destined in essence for the marriage tie and for that only it is therefore demanded of her that her love shall take the form of marriage and that the different moments in love shall attain their true rational relation to each other.

107 *Paragraph 166*

have happy ideas, taste and elegance but they cannot attain to the ideal. The difference between men

ernment the state is at once in jeopardy because women regulate their actions not by the demands of universal truth but by arbitrary principles and opinions. *Women are educated—who knows how?—as it were by breathing in ideas by living rather than by acquiring knowledge.* The status of manhood on the other hand is attained only by the stress of thought and much technical exertion.

108 *Paragraph 168*

A sense of shame—to go no farther—is a bar to

when animals of the same stock are met as equals

and whatever it is thither (5 c 1408
foot note)

there is to be unification there must first be division

should come about for the first time with it. And their development has all the more value the richer it is and the more facets it has.

109 *Paragraph 172*

type of marriage stood in a closer relation to her

the family to be reckoned members and for the clan as a whole to count as the important thing while the newly founded family disappeared in comparison. Nevertheless each new family is the essential thing in contrast with the more remote connexions of clan kinship and parents and children form the nucleus proper as opposed to the clan which is also in certain sense called a family. Hence an individual's relation to his wealth must have a more essential connexion with his marriage than with the wider circle of his kin.

tivity. Such an objectivity parents first acquire in their children. In whom they can see objectified the entirety of their union. In the child a mother loves its father and he its mother. Both have their love objectified for them in the child. While in their goods their utility is embodied only in an external thing in their children it is embodied in a spiritual one in which the parents are loved and which they love.

111 *Paragraph 174*

Man has to acquire for himself the position which

are fed from central stores and not regarded as self-subsistent adults. The services which may be demanded from children should therefore have education as their object and be relevant thereto. They must not be ends in themselves. Like a child in slavery

not on reasons and representation the king will we

dance reasonst children w le ve topen t them
to decide wh th th reasons ar w ightly n t
and thus we mak everything depend then whom
So f as children are co cerned, universality and
th substance f things resid an th ir par ts and
this implies that childr must be bedu t If th
feeling f bordanals prod cing th l oing t
grow p is t f ter d in children they becom
f rwa d and impertun t.

1 Par g ph 75

As child man must h l ed w th his p re is
d tru t and rati nality

3 P g ph 6

It is because marrag d pe ds tirely f eling
som thu g bjects and ting t th t it may be
dissol d Th tate th th h d is t b-
ject t p rut becaus t ests law T be re
marrag ght b indissol bl b th sin w
ha t t p t thus ght y t su m rrug is
ethical instat ti t cann t b dissol ed t will
b t ly by an thical th nty w th th church
th law rt If th p rtes re mpl t ly es
tra ged g mg t dult ry then th ec
deaultical th nty must permut di re

4 Par g ph 8

I ea li tures R man f ther had th right t
disn b rit ha childr d ev kill them Later h
lost both these rights. Att mpts w re m d t f rg

sorts of ecce tricity th re is no end to th folly and
whimicality of bequests.

15 P g ph 8

Th starti g point f th universal h re is the
self bsist f th p rucula d th thical o
am h f t be lost t thus po t unce it

6 P g ph 8

C il son ty is th [stag f] diff en which in
— h, rra h f m] d the stat If is

f the Germa law f unh ta T be ur th
hlt mak ill must be ceded b t in co
cedi g t point f vi w must be that this ght
f ee ch ce rises m gnifi d w th th dipe
wo des ra g m t f th m mb rs f th famly
F rther th so call d f mil f ine ds which
etam tary dispo ti bri gs th t m y be d
m t ed ly in d fect f m mb rs f th family p p-
e. f poue and childr T make ill tall
talls som thing b n d disagreeabl be
cuse making t f re val th names f my f
tes F h wev is b trary t may be gained
reptit usly by vari ty f xped ts, it may d
pend ll sorts f fooli h reasons d as co du
tio f ha ing his nam incl ded will bea
f lary may be equ ed t bject himself t th
most bject servilities. f E gland, th h m f ll

synecras y ev ry tale t very end t f birth and
f rtun dwb wa es f verypassi gu h rth
egulated nly by aso ghating thr gh them P
ticularity estri ted by un sality is th nly
tand rd wh by each particula m mbe p motes
his welfare

7 P g ph 8g

If re th cal hf is plit int ts extremes and lost

are still reciprocally bound together and conditioned. While each of them seems to do just the opposite to the other and supposes that it can exist only by keeping the other at arm's length, none the less each still conditions the other. Thus, for example, most people regard the paying of taxes as injurious to their particular interest, as something inimical and obstructive of their own ends. Yet, however true this seems, particular ends cannot be attained without the help of the universal, and a country where no taxes were paid could not be singled out as inferior in its civilisation.

I cannot exist only for and by means of one another. If I further my ends, I further the ends of the universal, and this in turn furthers my end.

118 Paragraph 185

So far from the false infinite. At the other end of the scale, however, want and destitution are measureless too, and the discord of this situation can be brought into a harmony only by the state which has powers over it. Particulars include particulars since help on the right of the universal allows freedom to the particular. It was in the Christian religion in the first place that the right of subjectivity arose together with the infinity of self-awareness, and while granting this right, the whole order must at the same time retain strength enough to put particularity in harmony with the unity of ethical life.

119 Paragraph 187

By educated men we may perhaps understand those who without the intrusion of personal idiosyncrasy can do what others do. It is precisely this idiosyncrasy, however, which uneducated men display since their behaviour is not governed by the universal characteristics of the situation. Similarly, an uneducated man is apt to hurt the feeling of his neighbour.

Unity which produces the real thing demands genuine education, while bastard originality adopts eccentricities which only enter the heads of the uneducated.

120 Paragraph 189

The certain universal needs such as food, drink, clothing, &c., and it depends entirely on ac-

cidental circumstances how these

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onomy, a science which is a credit to thought because it finds laws for a mass of accidents. It is an interesting spectacle here to see all chains of activity leading back to the same point. Particular spheres of action fall into groups influencing others and are helped by

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every regular movement though its laws may none the less be ascertained.

121 Paragraph 190

An animal is restricted to particularity. It has its instincts and means of satisfying them, means which are limited and which it cannot overstep. Some insects are parasitic on a certain kind of plant; some animals have a wider range and can live in different climates, but there is always a restriction preventing them from having the range open to man. The need of shelter and clothing, the necessity of cooking his food to make it fit to eat and to become

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positive is of judgment even the needs themselves are affected thereby. Finally, it is no longer need but opinion which has to be satisfied, and it is just the educated man who is the

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in all things there is not a imperious

122 Paragraph 191

What the English call civility is something inestimable and inimitable. (Other sentences discuss to you that that you take to be civil)

123 Paragraph 192

That civility is in itself correct may be demonstrated by reference to

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I am compelled to produce means for the satisfaction of the. We play to each other's hands and so have to get the right things

ADDITIONS

entire everything private becomes something social. In dress fashions and hours of meals, there are certain common-sense which we have to accept because in these things it is no worth the trouble to insist on one's own discernment. The wisest thing here is to do as others do.

4. For graph 95

The entire Critical mode of life depicted by Dickens was nothing more or less than a product of American social life, and what destroyed it was the way of thinking against which his whole manner protested. Hence it was the independent of social conditions but simply their result. It was itself a product of luxury. When luxury is too beautiful, excess and depravity are equally extreme and in such circumstances Cynicism is the natural disposition to renunciation.

5. For graph 96

There is hardly any raw material which does not need to be worked before use. Enslavement has to be worked because we have not warm water pipes here. Why except this, because we can drink it as we find it. It is by the sweat of his brow and the toil of his hands that man obtains the means to satisfy his needs.

6. For graph 97

The savage is lazy and is distinguished from the educated man by his brooding stupidity because practical action is just education in the need and habit of being busy. A human man always produces results. He does not in end it is his task. If his work is killed, he has to work with his hand may be said to be the man who produces the thing as it ought to be and he puts the nail in the head without shrinking. (*Keine Spardien, in seinem Subjekt* in *Tung gegen die Arbeit*)

7. For graph 20

The ways and means of sharing in the capital of society are left to each man. Particular choice by the subdivisions of civil society into different general branches is necessary. The family is the first precondition of the state. Its divisions are the second. The importance of the law is that it is that which unites private persons are self-seeking they are compelled to direct their intention to others. Here then is the root which connects self-seeking to the universal, i.e. the state whose care it must be that this be hard and fast.

8. For graph 203

In our day knowledge is conducted on methods devised by reflective thinking. i.e. like factory. This has given character like that of industry and to contrary to its natural one. Still, the agricultural class will always retain the mode of life which is patriarchal and the substantial from its mind property.

[On the Son of Arch Young's Law is here (see Halley remark that, if you were in the Sons of certain farm there, "you could not tell whether you were on a farm or in the heart of a large factory" (*History of the English People* in 8; E. K. II, Chap. I)]

such life. The member of this class accepts the same and takes what he

9. For graph 204

In the business class, the individual is thrown back himself and this feeling of selfishness is immediately corrected with the demand of law and order. The sense of freedom and order has therefore arisen because that was the agricultural class, the other hand, has little occasion to think of itself what it obtains is the gift of nature. Its feeling of dependence is fundamental to it, and with this feeling there is readily associated willingness to submit to whatever may befall it. The men of the agricultural class is thus more inclined to obey once the business class is freed.

3. Paragraph 207

When we say that man must be somebody we mean that he should belong to some specific social class, since to be somebody means to be a substantive being. A man with class is more private person and his universality is actualized. On the other hand, the individual in his particularity may take himself as the universal and presume that by entering class he is surrendering himself to an indigent. This is the false idea that in obtaining determination necessary to the law is restriction, and surrendering self.

3. For graph 209

From no point of view is it through the working of the system of particularity that right becomes an external compulsion as protection of particular interests. Even though this result is due to the concept, right none the less only becomes something existent because this is useful for men's needs. To become conscious of the right of his right, man must be trained to think and give up dealing with mere sensation. We must invest the objects of our right with the firm of universality and similarly we must direct our willing to universal principle. It is only after man has devised numerous needs and after their acquisition has become intertwined with his satisfaction, that he can frame laws for himself.

3. For graph

The sun and the planets have their laws too but they do not know them. Savages are governed by impulses, customs, and feelings, but they are unconscious of them. When right is posited as law and is known, every accident of feeling vanishes together with the firm of revenge, sympathy and selfishness.

are still reciprocally bound together and conditioned. While each of them seems to do just the opposite to the other and supposes that it can exist only by keeping the other at arm's length none the less each still conditions the other. Thus for example most people regard the paying of taxes as injurious to their particular interest as something inimical and obstructive of their own ends. Yet however true this seems particular ends cannot be attained without the help of the universal and a country where no taxes were paid could not be singled out as invigorating its citizens. Similarly it might seem that universal ends would be more readily attainable if the universal absorbed the strength of the particulars in the way described for instance in Plato's *Republic*. But this too is only an illusion since both universal and particular turn into one another and exist only for and by means of one another. If I further my ends I further the ends of the universal and this in turn furthers my end.

D

1. The universal and destination are measureless too and the discord of this situation can be brought into a harmony only by the state which has powers over it. Plato wished to exclude particularity from his state but this is no help since help on these lines would contravene the infinite right of the Idea to allow freedom to the particular. It was in the Christian religion in the first place that the right of subjectivity arose together with the infinity of self as an end and while granting this right the whole order must at the same time retain strength enough to put particularity in harmony with the unity of ethical life.

119 *Paragaph 187*

By educated men we may prima facie understand those who without the obtrusion of personal idiosyncrasy can do what they do. It is precisely this idiosyncrasy however which uneducated men display since their behaviour is not governed by the universal characteristics of the situation. Simply an uneducated man's pretence hurt the feelings of his neighbours. He simply is himself and does not reflect.

1. The universality which produces the real thing demands genuine education while bastard originality adopts eccentricities which only entrench the heads of the uneducated.

120 *Paragaph 189*

There are certain universal needs such as food drink clothing &c., and it depends entirely on ac-

cidental circumstances how these are satisfied. The fertility of the soil varies from place to place harvests vary from year to year one man is industrious, another indolent. But this middle

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of accidents. It is all chance of particular sequence others. The most remarkable thing here is this mutual interlocking of particulars which is what one would least expect because at first sight everything seems to be given over to the arbitrariness of the individual and it has a parallel in the solar system which displays to the eye only irregular movements though its laws may none the less be ascertained.

121 *Paragaph 190*

An animal is restricted to particularity. It has its instincts and means of satisfying them means which are limited.

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6 Par gr ph 97

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17 P rag ph

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nd. Th importance f th ltt is d t th f t
that lth gh p at persons self se king they
are impelled t direct ther tt ti t th ra.
H re them is th roo wh ch connects self seek g t
th versal. e t th tat wh se care t must be
that th ti us h d d fast ne

3 P gr ph 203

I day gricult re is co d cted m thods
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pa rarch l d th sub ta tial fram f mind prop-

[On be tho f Arth y g' Lane t kur
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or f ho Engi h P ple in S g Bh. II, Chap I)]

3 P g ph 209

F m p int f w lt is th gh th w ka g
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3 P gr ph

Th d th planets ha e then f ws too b t
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accidental circumstances how these are satisfied The
fertility of the soil varies from place to place har-
vests vary from year to year one man is industrious,
another indolent But this medley of arbitrariness
generates universal characteristics by its own work-
ing and this apparently scattered and thoughtless
sphere is upheld by a necessity which automatically
enters it To discover this necessary element here is
the object of political economy a science which is
a credit to the human
of accident.
all chains of
particular
ence others
The most re-
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least expect because at first sight everything seems
to be given over to the arbitrariness of the individual,
and it has a parallel in the solar system which dis-
plays to the eye only irregular movements though its
laws may none the less be ascertained

I
further my ends
I further the ends of the universal and this in turn
further my end.

118 Paragraph 185

Particularity by itself is measureless excess and
form

union to the false infinite At
the other end of the scale however want and de-
stitution are measureless too and the discord of this
situation can be brought into a harmony only by the
state which has power over it Plato wished to ex-
clude particularity from his state but this is no help
since help on these lines would contravene the in-
finite right of the Idea to allow freedom to the part
cula It was in the Christian religion in the first place
that the right of subjectivity alone together with the
infinity of self-awareness and individuality this
right the whole order must at the same time retain
strength enough to put particularity in harmony
with the unity of ethical life

119 Paragraph 187

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those who without the intrusion of personal idio-
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idiosyncrasy however which uneducated men dis-
play since their behaviour is not governed by the
universal characteristics of the situation Similarly
an uneducated man is apt to hurt the feelings of his
neighbours He simply lets himself go and does not
restrain

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drink, clothing &c and it depends entirely on ac-

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An animal is restricted to particularity It has its
instincts and means of satisfying them means which
are limited and which it cannot overstep Some in-
sects are parasitic on a certain kind of plant some

it is to eat and to overcome its nat-
ural necessities human
than an animal
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ultimately become true rational beings even though
they are affected thereby Finally it is no
longer needed but opinion which has to be satisfied
and it is just the educated man who analyses the
concrete into its particulars The very multiplicity of

it is not so important

122 Paragraph 191

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123 Paragraph 192

The fact that I must direct my conduct by refer-
ence to the rational order of the firm of universal
ity it is in itself rational that a quarrel means of satis-
faction in itself must be directed except their views
At the same time however I am compelled to pro-
ceed in accordance with satisfaction of the rational We play
to each other's hands and so hanging together To this

extent everything private becomes something social.
In dress fashions and hours of meals, there are cer-
tain conventions which we have accepted because in
these things it is not worth the trouble to insist.
Civilization is a compromise. The wisest thing
to do is to accept it as there is.

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positive refinement.

3. *Paragr ph 95*

There is hardly any raw material which does not
need to be worked before use. Even air has to be
worked before we have it warm. Water is per-
haps the only exception because we can drink it as
we find it. It is by the heat of his body and the skill
of his hands that man obtains the means to satisfy
his needs.

6 *Par gr ph 50*

The savage is lazy and is distinguished from the
educated man by his brooding stupidity because
practical education is just education in the good and
habit of being busy. A clumsy man always produces
results; he does not intend to be a master of his
work; but the skilled worker, the hand man,
is said to be the man who produces the thing as it
ought to be and who hits the nail on the head with-
out shrinking (*keine Spard steht vor seinem schwerk-
t-rat* *g gen den Zu künft det*)

7 *Paragr ph 20*

The word means of sharing in the capital of
society are left to each man, particular choice of
the subdivisions of civil society not different general
branches necessarily. The family is the first pre-
condition of the state, but class divisions are the sec-
ond. The importance of the latter is due to the fact
that although private persons are self-seeking, they
are compelled to direct their efforts to the service
of the state. Here then is the root which connects self-seeking with
the universal, i.e. that state which we care to must be
that this is hard and fast rule.

3 *Par gr ph 203*

In our day agriculture is conducted by methods
derived by reflective thinking, i.e. like factory
This has given it character like that of industry
and contrary to its natural tendency, the agricul-
tural class will always retain modern ideas which is
paternal and the substantial frame of mind prop-

[On the other hand, Mr. Young's *Essay on the
(1791)* History remarks that, if you were in the shoes
of an estate farmer there you could not do better you
are on the ground in the best of large factory" (*Eng-
lish People in 1835* Bk. II, Chap. I)]

The member of this class accepts

9 *Par gr ph 203*

In the business class, the individual is the worker
in himself and thus feeling of selfhood is more im-
mediately connected with the demand of law and
order. The sense of freedom and order has the ref-
erence to all that was. The "uncultural" class,
on the other hand has little occasion to think of itself
what it obtains is the gift of the other for nat-
ural feeling of dependence is fundamental to it and
with this feeling, there is readily associated will-
ingness to submit to what may befall to the other
men's hands. The "uncultural" class is thus more in-
clined to service the business class for freedom

3 *Paragr ph 07*

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3 *Par gr ph 209*

From the point of view it is through the work-
ing system of particularity that right becomes an
external compulsion as protection of particular in-

be trained to think and give up dealing with im-
pulses. We must invent the objects of our right
with the firm of universality and similarly we must
direct our willing by universal principle. It is not
after man has discovered universal needs and after
their acquisition has become intertwined with his
satisfaction that he can frame laws for himself

3 *Par gr ph*

The sun and the planets have their laws too but
they do not know them. Savages are governed by
impulses, customs, and feelings, but they are uncon-
scious of this. When right is posited as law and is
known, every content of feeling vanishes together
with the firm of revenge sympathy and selfishness,

recognition. Entries are made in the register of the court and are subject to the scrutiny of the court. The entries are subject to the scrutiny of the court and are subject to the scrutiny of the court.

whereby right must also be possessed as just. My will rational will is valid and its validity should be recognized by others. At this point, then, in subjectivity and that if there must be set aside the will must achieve the security stability and objectivity which can be attained only through such formalities.

33 Par § 21

I seem to be contradicting that crime committed in society appears to be heinous and yet is punished to be leniently. But what would be impossible for society to leave crime unpunished, since that would be to put it as right, till since society is sure of itself crime must always be something subordinate in comparison, something incidental and extraneous. The very stability of society gives crime the status of something purely subjective which seems to be the product rather than a natural impulse than a prudent will. In this light, crime requires neither status, and if this reason its punishment too becomes matter. If society is still internally weak, then an example must be made by its members.

33 Par § 22

Case of individual has the right to judge for himself also what the law is otherwise the privilege would be useless to him. But it is also his duty to stand his trial. Under the feudal system, the nobles often refused to stand their trial. They defied the court and asserted that the court was wrong to demand their appearance. Feudal courts knew ever to travel the very idea of court. Now days monarchs have recognized the jurisdiction of the court is their private affairs, and in free states they commonly lose their case.

33 Par § 23

A man may be indignant if right which he knows he has is refused him because he cannot prove it. But if he is not, it must be the same time be right posited in law. I must be able to explain and prove it, and it is valid. It can only be recognized as

such if its rightness in principle is also made posited in law.

34 Par § 24

It is not the sense of the law that

34 Par § 25

It is not that the aim of the law is justice which as universal falls under the command of everyone and that it is through publicity that the citizens become convinced that the judgement was actually just.

34 Par § 26

The grounds can be defended if supposing that the judge is the legal expert, should be the only person to establish with facts the ability to depend on general not purely legal evidence. Determination of the facts in the case depends on empirical data, deposits as to what happened, and similar perceptual data against facts from which inferences can be drawn. Indeed in question and which make it probable. Here then, it is an assurance which should be required, truth in the higher sense in which it is always some thing eternal. Here such assurance is by the very conscience and the problem is what if one should take this assurance in court? The demand, commonly made in German law that a criminal should confess his guilt, has thus to be said, that the right of self-consciousness must chime in with the judge's sentence, and it is only when the criminal has confessed that the judgement loses its alien character so far as he is concerned. But difficulty arises here, because the criminal may lie and the interest of justice may be jeopardized. If on the other hand, the subjective conviction of the judge is to be held good, some hardship is or more involved, because the accused is longer being treated as free man. Now the middle term between these extremes is trial by jury which meets the demand that the declaration of guilt or innocence shall spring from the soul of the accused.

35 Paragraph 2

In civil society universality is necessary. When we are dealing with human needs, it is only right as such which is steadfast. But this right—only restricted sphere—has bearing sumly the protec

tion of property welfare is something external to right as such. This welfare however is an essential end in the system of needs. Hence the universal which in the first instance is the right only has to be extended over the whole field of particularity. Justice is a bi-thing in civil society. Given good laws a state can flourish and freedom of property is a fundamental condition of its prosperity. Still since I am inextricably involved in particularity I have a right to claim that in this association with other particulars my particular welfare too shall be promoted. Regard should be paid to my welfare to my particular interest and this is done through the police and the Corporation.

144 *Pa agr ph 234*

Here nothing hard and fast can be laid down and no absolute lines can be drawn. Everything here is personal subjective opinion enters in and the spirit of the constitution and the crisis of the day have to provide precision of detail. In time of war for instance many a thing harmless at other times has to be regarded as harmful. As a result of this presence of accident of personal a bitariness the public authority acquires a measure of odium. When reflective thinking is very highly developed the public authority may tend to draw into its orbit everything it possibly can for in every thing some factor may be found which might make it dangerous in one of its bearings. In such circumstances the public authority may set to work very pedantically and embarrass the day to day life of people. But however great this annoyance no objective line can be drawn here either.

145 *Pa g ph 236*

The oversight and care exercised by the public authority aims at being a middle term between an individual and the universal possibility afforded by society of attaining individual ends. It has to

determine of daily or this connection present is that the superintendence of everything properly belongs to the public authority the other that the public authority has nothing at all to settle here because everyone will direct his conduct according to the needs of others. The individual must have a right to work for his bread as he pleases but the public also has a right to insist that essential tasks shall be properly done. Both point of view must be satisfied and freedom of trade should not be such as to jeopardize the general good.

146 *P ag aph 238*

To be sure the family has to provide bread for its members but in civil society the family

means. If man is to be a member of civil society in this sense he has rights and claims against it just as he had rights and claims in the family. Civil society must protect its members and defend their rights, while its rights impose duties on every one of its members.

147 *Paragraph 239*

The line which demarcates the

to come have that has a similarity between the advocates of state supervision and those who demand that education shall be free is at the option of the parents are relevant here.

148 *Pa ag aph 240*

There was an Athenian law compelling every citizen to give an account of his source of livelihood. Nowadays we take the view that this is no business but his own. Of course every individual is from one point of view independent but he also plays his part in the system of civil society and while every man has the right to demand subsistence from it must at the same time protect himself from

using its members it also has the right to press them to provide for their own livelihood.

149 *P ag ph 244*

The lowest subsistence level that of a rabble of paupers is fixed automatically but the minimum varies considerably in different countries. In England even the very poorest believe that they have rights this is different from that satisfied by the poor in their country. Poverty in itself does not make men into a rabble a rabble is created only when there is no need to poverty a disposition of mind an inner individual antagonism against the society against the government & against the consequences of this attitude is that though they depend on chance men become idle and idle like the apathetic rabble the loss of living self respect enough to secure subsistence by its own labor and

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we are the same time I demand I receive what
 me as is right. Hence no man can claim no
 right, but once society is established, poverty im-
 mediately takes the form of wrong done to one
 class by another. The important question of how
 poverty must be abolished is no fifth most disturb-
 ing problem which agitate modern society.

Paragraph 3

Our society is thus driven to find co-operations. In-
 crease of population alone has this effect, but it is
 due in particular to the increase of number of
 persons who cannot secure the same class of their
 needs by their own labour nor production rises
 above the requirements of consumers. No-advocates
 of modernism is particularly characteristic of Germany.
 The country was new to America, Russia and
 Russia there with no home ties, and so prove useless
 to their native land. The second and entirely dis-
 tinct type of modernism is the systematic state
 undertaken, it is aware of the proper method of ear-
 ning its own and remains as it continually. This type
 was common amongst the ancients, particularly the
 Greeks. Hard work was the business, the charac-
 teristics of Greece since then, energy was directed rather
 to pleasure and so if the population increased to
 such an extent that there might be difficulty in feed-
 ing the young people would be sent away to
 new distant settlements overseas. Hence, these
 times led to discovery of modern times,
 moderns have not been allowed the same rights as
 have left to those and the result of this situation
 has been wars and finally independence as may be
 seen in the history of the English and Spanish colonies.
 Colonial independence proves to be the greatest
 evil, are it the number comes just as the
 emancipation of slaves turns out to be greater if
 we are the owners.

Paragraph 3

The corporation beyond the also non. Corpo-
 ration is never times is the individual would
 feed for himself. But we are great and still
 had the corporate membership does the
 man corporation to earn his living. Under modern
 practical conditions the classes have only restricted
 estate in the public business. It is the fact that it is
 essential to provide the material necessities with the
 of public character over and above their private
 business. The work of public character which the
 modern state does or always provide is found in
 the Corporation. We saw earlier [Addition to Para-
 graph 1] that in finding a honest member of
 our society also work for them. But this is
 conscious contribution is not enough it is in the
 Corporation that first classes are known and
 their individual mode of life. Of course Corpo-
 rations must fall under the higher surveillance of the
 state because otherwise they would easily build
 themselves up and become an immense system
 of control and by this however Corporation is
 not loved and purpose is rather to bring an
 honest trade into the social order and serve it to

sphere in which I gain strength and respect.

Paragraph 3

The state in and by itself is the social whole the
 actualization of freedom and it is an absolute end
 of reason that freedom should be actual. The state is
 mind earth and consciously realizing itself there.
 In nature the other hand, mind creates itself
 as it is with the as mind a leap. Only when it
 is present in consciousness when it knows itself as
 present in the state. In considering

modernism. The march of God in the world is
 what the state is. The basis of the state is the power
 of reason, continuing itself as will. In considering
 the idea of the state we must not have our eyes
 particular states particular institutions. I
 stand we must consider the idea, the actual God, by
 the state that has been

criminal, or an invalid. The state is still always
 living man. The affirmative E. exhausts these
 defects, and it is this affirmative fact which is our
 theme here.

Paragraph 3

each are independent of one another and there are
 then relation to one another can only be an external
 one so that there must be something standing
 above them to bind them together. Now this third
 thing is the mind which gives self-determining
 will to the state and is the absolute principle of states.
 Several states may form an alliance to be sort of
 court with jurisdiction over them. There may be
 confederations of states, like the Holy Alliance for
 example, but these are always relative and re-
 stricted, like the perpetual peace. The one and only
 absolute justice which makes well the universe
 against the particular and fallacious is the absolute
 mind which manifests itself in the history of the
 world as the universal and as the genius of the opera-
 tive.

[See Paragraphs 3 333 and the Addition there-
 to]

154 Paragraph 260

The Idea of the state in modern times has a special character in that the state is the actualization of freedom not in accordance with subjective whim but in accordance with the concept of the will i.e. in accordance with its universality and divinity. Immature states are those in which the Idea of the state is still veiled and where its particular determinations have not yet attained free self subsistence. In the states of classical antiquity universality was present but particularity had not then been released given free scope and brought back to universality i.e. to the universal end of the whole. The essence of the modern state is that the universal be bound up with the complete freedom of its particular members and with private well being that thus the interests of family and civil society must concentrate themselves on the state although the universal end cannot be advanced without the personal knowledge and will of its particular members whose own rights must be maintained. Thus the universal must be fulfilled but subjectivity on the other hand must attain its full and living development. It is only when both these moments subsist in their strength that the state can be regarded as articulated and genuinely organized.

155 Paragraph 261

In the state everything depends on the unity of universal and particular. In the states of antiquity the subjective end simply coincided with the state's will. In modern times however we make claims for private judgement, private will and private conscience. The ancients had none of these in the modern sense the ultimate thing with them was the will of the state. Whereas under the despots of Asia the individual had no inner life and no justification in himself in the modern world man insists on respect being paid to his inner life. The conjunction of duty and right has a twofold aspect what the state demands from us as a duty is *eo ipso* our right as individuals since the state is nothing but the articulation of the concept of freedom. The determinations of the individual will are given an objective embodiment through the state and thereby they attain their truth and their actualization for the first time. The state is the one and only prerequisite of the attainment of particular ends and welfare.

156 Paragraph 262

In Plato's state subjective freedom does not count because people have their occupations assigned to them by the Guardians. Immature states thus

proper it is the abstract moment the moment of being by oneself and so of having identity with oneself. But analysis of sensation reveals that it has objects and these are distinct in such a way that each of them seems to be a whole system by itself. The first is feeling in the abstract keeping oneself self enclosed the dull movement which goes on internally reproduction internal self nutrition growth and digestion. The second moment is that this self related existence has over against it the moment of difference a movement outwards. This is irritable sensation moving outwards. This constitutes a system of its own and there are some of the lower types of animals which have developed this system although they lack the soul charged unity of inner sensation. If we compare these natural features with those of mind then the family must be paralleled with sensibility and civil society with irritability. Now the third is the state the nervous system as a

But the ground and final truth of the entire thing is its end their universal end and known objectively. The family too is ethical only its end is not known as such while it is the separation between elements and another which makes civil society what it is.

158 Paragraph 65

As was remarked earlier on the sanctity of marriage is an

capacity. What is of the utmost importance is that the law of reason should be shot through and through by the law of particular freedom and that my particular end should become identified with the universal end or otherwise the state is left in the air. The state is actual only when its members have a feeling of their own solidarity and it is stable only when public and private ends are identical. It has often been said that the end of the state is the happiness of the citizens. That is perfectly true. If all is well then may the subjective aims are satisfied if they do not find that the state as such is the means to their satisfaction then the footing of the state itself is insecure.

159 Paragraph 267

The utility of the freedom which knows and wills itself is present for all as necessity. Here subjective essence is something subjective essence of individuals. Necessity is other than freedom however.

160 Paragraph 268

Immature men do slight in argumentation and [The reference is probably to Paragraph 255]

nature. The nervous system is the sensitive system. [Read together with Law]

is it finding because it is any en ough to find f it, such hard to see t. good and is inn ecessity The learner always begins by findin f it, b t th scolar sees the posit v m rit in everything In reli gio this that is qu kly dismissed as superstu rrr to pprehend th

me ly exists a sick body exists too b t t has n genuin reativ A ha d which is cut ff still looks lik hand, and t exists, b t with t being ct al rt l is in

and that m it alone ca particula m t. 1335 cured. B t hab t blind us t that which t le existence depe ds. When a walk th street t n t m safet it does t strik us th t this mg t be otherwise This h b t f feeling saf has become seco d nature d w d t reflect just how t. 1335 d l t th w king of special in stitutions. Comm place thinking ft has th im presso t. t f rce h lds th tat togeth but in f ct it is h bond m th f dam tal ense f rder which every body possesses

6 For gr p 269

Th is is an organism e th d rel pm t f t. Idea t th articulation f differences. Thus these diff re t des f th stat are t v us pow ers with their functions and spheres f ct by means f which th universal co tin ally engend rs

sol is n.

To m t re tat th ough and consc ess es sentially bel ng Th rel re th tat kn ws what it wills and knows t as som thing th ght. \ w since knowing ha is seat in th stat th e t f science m t be there too and not in th ch rch Despite this, t is ften said wadays that th tat must grow t f religi n. Th state is m d f l m ture and t exhibit is m m ts in th daylight f co co usness. \ w the f ct that what is h dden in th Idea t ps f rth int bject e exist ce gives th stat th ppearance f som thin finite and so th stat reveals itself as d main f w ldliness while religi n displays itself as d main f th infinit It thus be so th stat seems to be th subordinat and since what is finite cann t land is wn feet th

as accomplished f ct. This takes m m is n. also t th belly and the ther m mbers. Th nat re f organism is such that unles each f ts parts bro ht into identity w th th others, unless each f them is prevented from chieving ut may th b must per h b listng tributes, axioms, &c., no progress can be mad in assessing th nature f t. sta t must be ppreh ded as an organism. One mght as well try t und rstand th nature f God by listng his tributes, while th truth is that we must intuit God hf in that hf itself

6 For gr p 270

Th stat is actual, and is ctuality cons sts in th t-at th interest f the wh l is realized in and through particula ends. Actual y is alway th m y f universal and particular th un rral dis membered in th particulars which seem be self on alth ough they really are ph d d ro tained only in h wh l Where this mlt is t ppetal, thing is t ctual even th ough it may have required existence A had t r is ne which

[The l le recounted by Menon. Atropa dis under the Roma p b from successors. Lu sl j Shakespeare Coriolanus Ac I Sc. 1.]

thus ther are three persons whos unity also is Spirit (Grati) Theref t ppreh d th nat re

ly finite mind, is -sided view since th re as thing irrati al bo t actuality Of co rse bad state is w ridly and finit and thing be b t th rati nal tat is inh rently infinite.

Seco dly t is rrrred that th tat must d rive its justificati from religi n. In religi n, th Idea is mind in th inwardness f th heart, b t t is this sam Idea which gives itself wo ldlly f rm as th state and fashi ns f itself an mbodiment and actuality in kn wino nd willing. \ w if yo say that th tat must be grounded religi y you may mean that it should rest rationally and arise t f st b t your statement may also be mis derstood t mean that men are m t drotly schooled t beredence f their minds are shackled

[The Illustration is from Arist d P latic 33 9 d.]

154 Paragraph 260

The Idea of the state in modern times has a special character in that the state is the actualization of freedom not in accordance with subjective whim but in accordance with the concept of the will *in accordance with its universality and divinity*. Immature states are those in which the Idea of the state is still veiled and where its particular determinations have not yet attained free self subsistence. In the states of classical antiquity universality was present but particularity had not then been released given free scope and brought back to universality *in accordance with the universal end of the whole*. The essence of the modern state is that the universal be bound up with the complete freedom of its particular members and with private well being that thus the interests of family and civil society must concentrate themselves on the state although the universal end cannot be advanced without the personal knowledge and will of its particular members whose own rights must be maintained. Thus the universal must be furthered but subjectivity on the other hand must attain its full and living development. It is only when both these moments subsist in their strength that the state can be regarded as articulated and genuinely organized.

155 Paragraph 61

In the state each thing depends on the unity of universal and particular. In the states of antiquity the subjective end simply coincided with the state's will. In modern times however we make claims for private judgement private willing and private conscience. The ancients had none of these in the modern sense the ultimate thing with them was the will of the state. Whereas under the despots of Asia the individual had no inner life and no justification in himself in the modern world man insists on respect being paid to his inner life. The conjunction of duty and right has a twofold aspect what the state demands from us as a duty is *conspicuous* for us as individuals since the state is nothing but the articulation of the concept of freedom. The determinations of the individual will are given an objective embodiment through the state and thereby they attain their truth and their actualization for the first time. The state is the one and only prerequisite of the attainment of particular ends and a well being.

156 Paragraph 26

In Plato's state's objective freedom does not count because people have their occupations assigned to

157 Paragraph 263

The state as mind sunders itself into the particular determinations of its concept of its mode of being. We might use here an illustration drawn from nature. The nervous system is the sensitive system.
[Read with Lasso.]

proper it is the abstract moment the moment of being by oneself and so of having identity with oneself. But analysis of sensation reveals that it has two aspects and these are distinct in such a way that each

nally reproduction internal self nutrition growth and digestion. The second moment is that this self related existence has over against it the moment of difference a movement outwards. This is irrefragable sensation moving outwards. This constitutes a system.

sation. If we compare these natural features with those of mind then the family must be paralleled with sensibility and civil society with irritability. Now the third is the state the nervous system as a whole something inwardly organized but that is

But the ground and final truth of these distinctions is mind their universal end and known object. The family too is ethical only its end is not known as such while it is the separation between nature and another which makes civil society what it is.

158 Paragraph 65

As was remarked earlier on the sanctity of marriage and the institutions in which civil society is an appearance of ethical life constitute the stability of the whole. The stability is secured when universal affairs are the affairs of each member in his particular

universal end or otherwise the state is left in the air. The state is actual only when its members have a feeling of their own solidarity and it is stable only when public and private ends are identical. It has often been said that the end of the state is the happiness of the citizens. That is perfectly true. If all is not well with them if their subjective aims are not satisfied if they do not find that the state is this the means to their satisfaction then the footing of the state itself is insecure.

159 Paragraph 67

Thou thyself the freedom which knows and wills

itself and thereby completes the cycle of its life

160 Paragraph 268

Immature minds delight in argumentation and
[The first is probably Paragraph 55.]

powers are t be distinguished nly as mom ts f l ging f b tl constit ti b t t is quit a
the co cept If instead th y bust ind pend tly th rthi g d th t d es t arise till later f
m th th t is as cle th mass fth peopl t be num ted by s ch hf f
g b t
vart d

67 Par gr ph 75

We begin with th pow of the cr wn f with
th m m t finda d alty si thus incl des the
tat thr m m ts as t i lity in t lf Th eg
th t as t say is to th m t undivid al th g
m m d d alty

P

self

65 Par gr ph 73

Th p epl fth mod ru w ld is feed m f
subjects ty th pri epl th t all th ess tual f
lors prese t an th int l t al wh l are w m
me fth dev l o-

69 P gr ph 276

M ch th sam thing as thus id alty f th m
ments in th tat curs with hf in th phy cal
r nism Lf is p se t in ry ll. Th is ly
lf m ll th lls and th g w th ta ds t
S p rat d f m tha hf ry cell des Thus is th
sam th idealty f ry s gl class po d
C rporate as as they h th imp let b

with m t ed rat nality

66 P g ph 274.

Th tat in ts nstit ti m st perment all re-
lati nships within th tat N poleo f instia
wished t g th Spa ia da nst t t p ori
b t th pr ject r ned t b dly gh A nsta
t is i just som thing ma f t ed t is th
k f t ries t th Idea th nsc on as f
rat naly so f as that sci usness is d l ped
In part cula too N tit t ther f re is
just th creati f ts bjects Wh t N poleo
g t th panl ds was m re rat nal th wh t
they h d bef and y t th y ec lled f m it as
from som thing h because they w t yet
ed cat d pt it lev l A ti co tit ti must
embody ts feeling f lts r bts d lts po t
therwise th re m y be nstut ti th re
ext real way b t i is m nlgless d al less.
Isola ed individ als m y ften feel th eed d th

[When he xpell'd he Bou bons from S as d pu
Joseph Bonaparte he throne d b Coos
of li onne i \$os W th he bre kd f the N

wh l

69 P gr ph 277

Th b usness fth tat is in th h ds f indi

rm y mmis. p t rtain ra k re sal bl
to this day Thus sal b lty f fice h w w
as till nm ted w th th m drcval stut
f rtain tates and h nstut ti ns re n w
day grad ally disappearing.

7 P g ph 279

I th rganizati fth tate—which h rem ans
constit ti nal m narchy—w m th thing
bel re mnds ept th m h t essly f
th Idea All th points f w m t anish Th
t t must be treat d as great arch t ct n tru
[I H gel da all officers comm no f m
ens n l na c l nel we re sal b th
re es ct na both p rchase and pri]

by a slavish religion (The Christian religion however is the religion of freedom though it must be admitted that this religion may become changed in character and perverted from freedom to bondage when it is infected with superstition) Now if you mean that men must have religion so that their *minds already shackled may the more easily be oppressed by the state* then the purport of your statement is bad But if you mean that men ought to respect the state this whole whose limbs they are then of course the best means of effecting this is to give them philosophical insight into the essence of the state though in default of that a religious frame of mind may lead to the same result For this reason the state may have need of religion and faith But the state remains essentially distinct from religion since whatever it claims it claims in the form of a legal duty and it is a matter of indifference to it in what spirit that duty is performed The field of religion on the other hand is the inner life and just as the state would jeopardize the right of that life if like religion it made claims on it so also when the church acts like a state and imposes penalties it degenerates into a religion of tyranny

A third difference which is connected with the foregoing is that the content of religion is and remains veiled and consequently religion's place is in the field of the heart feeling and representative thinking In this field everything has the form of *subjectivity* The state on the other hand actualises itself and gives its specific institutions a stable *objective* existence Now if religious feeling wished to assert itself in the state in the same way as it is

always referred back to the whole If this whole then wished to engage all the contents of the state this would be tantamount to fanaticism the wish to have the whole in every particular could be fulfilled only by the destruction of the particular and

same fanaticism Once piety usurps the place of the state it cannot tolerate the determination but simply shatters it It is quite content with this if piety leaves decisions to conscience to the inner life and is not governed by reasons This inner life decides not

which is too immature to determine what is existent in the state in a developed form It is precisely the fact that everything in the state is fixed and secure which is the bulwark against caprice and dogmatic opinion Religion as such then ought not to be the governor

163 Paragraph 271

Just as irritability in the living organism is itself from one point of view something inward something pertaining to the organism as such so here

rests entirely on the military power as was the case for instance in the time of the Roman Emperors and the Praetorians At other times nowadays for example the military power is a mere by-product of the civil power once all the citizens are conceivable

164 Paragraph 272

We should desire to have in the state nothing except what is an expression of rationality The state is the world which mind has made for itself its march therefore is on lines that are fixed and absolute However often we talk of the wisdom of God in nature! But we are not to assume for that reason that the physical world of nature is a loftier thing than the world of mind As high as mind stands above nature so high does the state stand above

tance that nowadays we have gained a clearer intuition into the state a general and have been so much engaged in discussing and making constitutions But by getting so far we have not yet settled everything In addition it is necessary to bring to bear on a rational topic the reason and intuition to know what the essence of the matter is and to realize that the obvious is not always the essential

moments When we speak of the distinct action of these powers we must not slip into the most ordinary error of so interpreting the distinctness as to suppose that each power should subsist independently in abstraction from the other The truth is that the

Constitution is determined by the objects which it is to serve and the power which it is to exercise is determined by the objects which it is to serve and the power which it is to exercise is determined by the objects which it is to serve

Just as the constitution is determined by the objects which it is to serve and the power which it is to exercise is determined by the objects which it is to serve and the power which it is to exercise is determined by the objects which it is to serve

with which we start. This feeling is God's for its object and we might make him the determinant of everything But God is the universal Idea and this feeling can regard him only as the indeterminate

and the individual, and its functions must be divided in accordance with the differences between its branches. The difficulty here is that these different branches meet again at both the top and the bottom. The police and the judiciary must stand more or less apart from each other but in each particular case they come again together. The usual expedient adopted to meet this difficulty is to appoint a Chancellor, Prime Minister or President du Conseil des Ministres to unify at the top

— in accordance with

an army of officials who see personal arbitrariness broken against such a third body. Acting in accordance with every rights, and the habit of each citizen is consequence of the interposition of officials in which independent and self-subsistent bodies create.

76 P. 97 p. 98

The constitution must stand by itself be fixed and recognized ground which the legislator stands, and for this reason it must not first be constructed. Thus the constitution is just as essentially to be done as dances and dances. This advance is an alternative, which is imperceptible and which lacks the form of alternative. For example the wealth of the German princes and their families began by being private property but then with any true exposure it was converted into crown lands, i.e. into public property. This came about because the princes felt the need of integrating their possessions and demanded property guarantees from the crown and Estates and these guarantees were intertwined with the mode of stabilizing property that it ceased to be the sole disposal of the princes. An analogous case is that in the Holy Roman Empire the Emperor was formerly elected and travelled the Empire circuit, and then went to purely superficial results of cultural progress, external reasons made it necessary for him to delegate and more for his judicial functions to others, with the result that the judicial power was transferred from the person of the monarch to the judges. Hence the dance of the state affairs is the same in appearance and unaltered. In this way constitution changes in long periods of time into something quite different from what it was originally.

77 P. 98 p. 99

The two sides of the constitution bear respectively the rights and the services of individuals. Services are almost invariably paid to men by payments and military service is a claim to the only personal exertion. In the past, far more claims were made directly to man as person and he used to be called upon to work according to his ability. In our day the state purchases what it requires. Thus may it first appear as a cold, heartless, and dead state affairs, and for the state to be satisfied with indirect services may also look like decadence in the state. But the principle of the modern state requires that the whole of an individual citizen shall be

heavily taxed than an untalented. But in every respect subjects are freed more precisely recognized precisely in that the state lays hold of man only by that which is capable of being held.

78 P. 99 p. 100

The proposal to exclude members of the executive (i.e. external goods. See Paragraph 9)

than helpful to such interests, though it must also supervise them, the individual finds protection in the exercise of his rights and so links his private interest with the maintenance of the whole. For some time past organizations have been framed with a view to bringing these particular spheres from above and below it has chiefly been expended guaranteeing of that type, while the lower classes, the mass of the population has been left more or less unmorgaged. And yet it is of the most importance that the masses should be organized, because only so do they become mighty and powerful. Otherwise they are nothing but a heap of aggregated individuals. Only when the particular associations are organized members of the state are they possessed of legal material power.

5 P. 97 p. 97

The middle class, to which civil servants belong, politically consider the one in which education is most prominent. For this reason it is also the pillar of the state so far as healthy intelligence is concerned. A state which the middle class must therefore remain on a low level. Russia for instance, has massified the lower and massified the upper. The latter is the prime concern of the state. The middle class should be developed, but this can be done only if the state is an organic unity like the one described here. It can be done only by giving liberty to spheres of particular interests, which are relatively independent and by appointing

(Hired in this way is his own reverence in B. v. v. a. h. 8? See Brief on ad. H. vol. I p. 30. (Lamm))

ture as a hieroglyph of the reason which reveals it self in actuality. Everything to do with mere utility externality and so forth must be eliminated from the philosophical treatment of the subject. Now our ordinary ideas can quite well grasp the conception of the state as a self determining and completely sovereign will as final decision. What is more difficult is to apprehend this. I will as a person. To do so is not to say that the monarch may act capriciously. As a matter of fact he is bound by the con-

be said that an organic articulated constitution was present even in the beautiful democracy of Athens and yet we cannot help noticing that the Greeks derived their final decisions from the observation of quite external phenomena such as oracles the entrails of sacrificial animals and the flight of birds. They treated nature as a power which in those ways revealed and expressed what was good for men. At that time self-consciousness had not yet advanced to the abstraction of subjectivity not even so far as to understand that when a decision is to be made an I will must be pronounced by man himself.

this requirement is regarded as only external and optional.

71 Paragraph 230

It is often alleged against monarchy that it makes the welfare of the state dependent on chance for it is urged the monarch may be ill educated he may perhaps be unworthy of the highest position in the state and it is senseless that such a state of affairs should exist because it is supposed to be rational. But all this rests on a pre-supposition which is nugatory namely that everything depends on the monarch's particular character. It is completely organized state it is only a question of the culminating point of formal decision (and a natural bawling

such that the significant thing in the holder is not his particular make up (Monarchy in this sense is rational because it corresponds with the concept but since this is hard to grasp often fail to notice the rationality of monarchy. Monarchy must be inherently blessed) hence otherwise the monarchy may have in addition to this power final decision is part and parcel of his private character and should be of no consequence. Of course there may be circumstances in which it is this private character alone which has prominence but in that event the state is either not fully developed or else is badly con-

[The passage is a thesis translated from Gans's third edition by David Peiper.]

structed. In a well organized monarchy the objective aspect belongs to law alone and the monarch's part is merely to set to the law the subjective I will.

172 Paragraph 81

If we are to grasp the Idea of the monarch we cannot be content with saying that God has appointed him to rule over us since God has made everything even the worst of things. The point of view of utility does not get us very far either and it is always possible to point out counterbalancing disadvantages. Still less does it help to regard monarchy as a positive right. That I should hold property is necessary but my holding of this particular property is contingent and in the same way the right that there must be one man at the head of affairs seems contingent too if it is treated as abstract and as posited. This right however is ineluctably present both as a felt want and as a requirement of the situation. Monarchs are not exactly distinguished for bodily prowess or intellectual gifts and yet we all submit to their rule. Now to say that men allow themselves to be ruled counter to their own interests ends and intentions is preposterous. Men are not so stupid. It is their need it is the inner might of the Idea which enforces against what they appear to think constraints the will to obedience and keeps them in that relation.

If then the monarch comes on the scene as the head and a part of the constitution we are compelled to hold that there is no constitutional identity between a conquered people and its prince. A rebellion in a province conquered in war is a different thing from a rising in a well organized state. It is not against their prince that the conquered are in rebellion and they recommit no crime against the state because their connexion with the master is not a connexion within the Idea or one within the inner necessity of the constitution. In such a case there is only a contract no political tie. *Je suis p^{re}s votre p^{re}ce je suis votre ennemi* \ poleon reported to the envoys at Erfurt.

173 Paragraph 82

Pardon is the remission of punishment but it does not annul the law (*Recht*). On the contrary the law stands and the pardoned man remains a criminal as before. Pardon does not mean that he has committed a crime. This annulment of punishment may take place through religion since from this done may by spirit (*Geist*) be made undone in spirit. But the power to accomplish this on either side is the king's majesty alone and must belong to the his self-determined decision.

174 Paragraph 90

The point of special importance in the executive is the division of functions. The executive is concerned with the transition from the universal to the particular.

[With poleon met Tsa Al d d F r t in 8 5 h w l lited by rep esse tat es f m y c ma tat Thl i f th m yst es f h r d n e s that occa o]

and the individual, and its functions must be divided in accordance with the differences between its branches. The difficulty, however, is that these different branches meet at both the top and the bottom. The police and the judiciary, for instance, serve at right angles to one another but in each respects one very common aim. The usual expedient adopted to meet this difficulty is to appoint Chambers, Prime Minister or President, or Censor des Juges to serve control at the top. But the result of this is that once more everything may have its source in the Minister's power and the business of the state is, as we are constrained, thus made the minister's responsibility, speed, and capacity in making state arrangements. A system

has just been introduced in the French republic, whereby, although the Napoleon, and still exists in France today. On the other hand, France lacks Corporations and local government, as associations between individuals and municipal councils now exist. In fact, these associations were too poor, measures of independence in the local area, when they were still within state and hence dependent on the central government. Indeed, we may say that the state is, as we have seen, the power element in the state. In these associations, in fact, the executive power will be limited, merely which it must respect, so that the administration cannot be other than highly in such matters, though it must also respect them. In individual fields, for instance, in the exercise of his rights as to his private interest with the maintenance of the whole. If some time past representatives have been found with

new methods, these methods, others from above and others from below have been expended in numerous ways, while the lower classes, the mass of the population, have been less more or less improved. And it is of the utmost importance that the masses should be organized, because only so do they become active and powerful. Otherwise they are waiting for help, as an extreme example, from the state. Only when the particular associations are organized members of the state are they possessed of real power.

1. Paragraph—

The middle class, to which civil servants belong, military reserves and the one in which education and training. For the state is also the ruler of the state so far as money and in finance are concerned. A state without middle class must therefore remain on a low level. Russia, for instance, has thus seen on the one hand and mass of men on the other. It is a serious concern of the state that the middle class should be developed, but this can be done only if the state is an efficient entity. At the moment, here, it can be done only from above, it is only by particular interests, which are entirely subordinate and by agreement

an arm of officials whose personal advancement is broken against such upward bodies. Action in accordance with everyone's rights, and the habit of such action is a consequence of the continuous of officials which independent and so-called bodies create.

2. Paragraph 3

The constitution must in and by itself be the first and foremost ground on which the knowledge stands. For this reason it must be first be constructed. Thus the constitution is by far as essentially it is necessary as it is a source and nature. The France is an attention which is impermissible and which holds the form of a failure. For example the wealth of the German people and their families began by being given property but then without any control, or correction it was converted in even lands, and the people poverty. This came about because the people felt the need of following their possessions and demanded property guarantees from their country and Estates and these guarantees were interpreted with each mode of standing property that it could be the sole disposal of the people. An analogous case is this. In the Holy Roman Empire the Emperor was formerly judge and traversed the Empire on circuit, and thus, using the personal spiritual results of cultural progress, external reasons made it necessary for him to delegate more and more of his judicial functions to others, with the result that the judicial power was transferred from the person of the monarch to various judges. Hence the France from our day I am to answer is transferred in appearance and understood. In this way, too, sometimes changes over a long period of time into something quite different from what it was originally.

3. Paragraph 20

The two sides, the constitution has, respectively on the rights and the services individuals. Services are now almost entirely reduced to money payments, and military service is now almost the only personal one existed. In the past, far more claims were made directly on man, on his person, and he used to be called upon for work, for his ability. In our day the state purchases what it requires. Thus the state is first seen as a contract, heartless, and dead state of affairs, and if the state is to be satisfied with indirect services may also look like decadence in the state. But the principle of the modern state requires that the whole of an individual's activity shall be mobilized through it. It means of money however the nature of equality can be achieved much more efficiently. Otherwise if assessment demanded no money ability, talented man would be more heavily taxed than an uneducated one. But nowadays respect for individual freedom is voluntarily recognized precisely in the fact that the state has held of man only by that which is capable of being held.

5. Paragraph 10

The personal outside members of the executive [i.e. external goods. See Paragraph 19.]

(This is a sketch of my own experience in Russia in 1905. See *Journal of the Royal Society of Arts*, 1905, (Lancaster).)

ture as a hieroglyph of the reason which reveals it
self in actuality. Everything to do with mere utility

of the state as a self determining and completely sovereign will as final decision. What is more difficult is to apprehend this I will as a person. To do so is not to say that the monarch may act capriciously. As a matter of fact he is bound by the concrete decisions of his counsellors and if the consti-

was present even in the beautiful democracy of Athens and yet we cannot help notice that the Greeks derived their final decisions from the observation of quite external phenomena such as oracles the entrails of sacrificial animals and the flight of birds They treated nature as a power which in those ways revealed and expressed what was good for men At that time self-consciousness had not yet advanced to the abstraction of subjectivity not even so far as to understand that when a decision is to be made an I will must be pronounced by man himself This I will constitutes the great difference between

this requirement is regarded as only a technical and optional

17 Pa g aph 280

It is often allged against monarchy that it makes the welfare of the state depend on chance for it is urged the monarch may be ill edcated he may p h ps b unworthy of the highest position in the state and it is senseless th t such a state of aff rs should exist because it is supposed to be rational But all this rests on a presupposition which is nugatory namely that everyth g d pends on the monarch's pa ticular character In a compl tely organized state it is o ly a question of the culm at ng joint f formal decision (and n tural bulw k ag st passion It is w gth ffore to demand ob jective q l t es in a monarch) he has only to say yes and do the r b cau e the th o e should be such that th s g nific nt th g in its holder is ot his p rtic lar m k up (Monarchy in this ense is ratio l because it correso ds w th th co cept b t s ce th s is h rd to g p e often fa l t notice the ation l ty of m narchy Monarchv must be in herently stable and) whatever else the mona ch m y ha e in add tio to th s power of f al decis n is

structed In a well organized monarchy the objective a pect belongs to law alone and the monarch's part is merely to set to the law the subjective I will

172 Pa agraph 81

If we are to grasp the Idea of the monarch we cannot be content with saying that God has appointed him to rule over us since God has made everything even the worst of things. The point of view of utility does not get us very far either and it is always possible to point out counterbalancing disadvantages. Still less does it help to regard monarchy as a *positive* right. That I should hold property is necessary but my holding of the particular property is contingent and in the same way the right that the emperor must be one man at the head of affairs seems contingent too if it is treated as abstract and as *positive*. The right however is inevitably present both as a felt want and as a requirement of the situation. Monarchs are not actually dependent on bodily prowess or intellectual gifts and yet millions submit to their rule. Now to say that men allow themselves to be ruled counter to their own interests ends and intentions is preposterous. We are not so stupid. It is their need it is the inner might of the Idea which even against what they appear to think constrains them to obedience and keeps them in that relation.

If then the monarch comes on the scene as the head and a part of the constitution we are compelled to hold that there is no constitutional right to be taken away from a conquered people and its prince. A rebellion in a province conquered in war is a different thing from a rising in a well organized state. It is not against their prince that the conquered are in rebellion and they are committing no crime against the state because their crime is on with their master is not a connection within the Idea or within the inner necessity of the constitution. In such a case there is only a contractual political tie. *Je n'ai pas d'autre prince que le roi de France*. Napoleon referred to the envoys at Erfurt.

173 Pa ag aph 282

Pardon the mission of punishment but it does not follow the law (*Recht*). On the contrary the law stands against the pardoned man remains a criminal as before. Pardon doesn't mean that the he is not committed a crime. This annulment of punishment may take place through religious sacrifice something do many by spirit (*Geist*) be made undone; spirit. But the power to accomplish this on earth resides in the King's majesty alone. I must belong only to his self-determined decision.

14 Pa ag sph 290

The point of special importance in the execution is the division of function. The execution is concerned with the transition from the universal to the particular.

8 9 h w lited by ep ese taties f m y Ge
m states Th i fth m y t les f l de
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[The passages in parentheses are translated from
German third edition. They did not appear in the first.]

becomes clear that the castle building the fire side with his wife and his friends is thus, while what happens in the great Assembly where the shrewd idea develops and there is something quite different.

by more fixed and solidified. But if health the body is required and if its parts harden them we are not exclusively that is death. Perpetual peace is fitted and located as an ideal towards which

— — — 1 9

46 Par gr ph 3 8

Public opinion counts all kinds of false and truth but takes great pains to find the truth in it. The great man with the are the who can put in to words the will of his tell his what is ill in, and accomplish it. Which does is the heart of the essence of his great actualizes his will. The man who has sense enough to despise public opinion expressed in gossip will never do anything great.

7 Par gr ph 320

Objectivity has been treated elsewhere (Paragraphs 79 ff) as the perfect state as the crown of its respect. A rare manifestation in public opinion, its most rational mode of appearance. The subject of the march is inherently abstract, but it would be something credit and so be the ideal which does itself the while state. The state of peace is that in which all branches of civil life become that they possess their substance outside and also within, and then as something which issues from the Idea itself. While the state that it so issues must also come in appears or as the identity of the while.

8 Paragr ph 3 3

In peace civil life continually expands all its departments wall themselves in and in the to run men stagnate. The synchronism becomes in all

[Read War in the East, p. 100, p. 101, p. 102, p. 103, p. 104, p. 105, p. 106, p. 107, p. 108, p. 109, p. 110, p. 111, p. 112, p. 113, p. 114, p. 115, p. 116, p. 117, p. 118, p. 119, p. 120, p. 121, p. 122, p. 123, p. 124, p. 125, p. 126, p. 127, p. 128, p. 129, p. 130, p. 131, p. 132, p. 133, p. 134, p. 135, p. 136, p. 137, p. 138, p. 139, p. 140, p. 141, p. 142, p. 143, p. 144, p. 145, p. 146, p. 147, p. 148, p. 149, p. 150, p. 151, p. 152, p. 153, p. 154, p. 155, p. 156, p. 157, p. 158, p. 159, p. 160, p. 161, p. 162, p. 163, p. 164, p. 165, p. 166, p. 167, p. 168, p. 169, p. 170, p. 171, p. 172, p. 173, p. 174, p. 175, p. 176, p. 177, p. 178, p. 179, p. 180, p. 181, p. 182, p. 183, p. 184, p. 185, p. 186, p. 187, p. 188, p. 189, p. 190, p. 191, p. 192, p. 193, p. 194, p. 195, p. 196, p. 197, p. 198, p. 199, p. 200, p. 201, p. 202, p. 203, p. 204, p. 205, p. 206, p. 207, p. 208, p. 209, p. 210, p. 211, p. 212, p. 213, p. 214, p. 215, p. 216, p. 217, p. 218, p. 219, p. 220, p. 221, 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from legislative bodies as for instance the Constituent Assembly did is a consequence of false views of the state. In England ministers must be members of parliament and this is right because executive

posing that the powers though independent are to check one another. This independence however destroys the unity of the state and unity is the chief of all desiderata.

179 Paragraph 301

The attitude of the executive to the Estates should not be essentially hostile and a belief in the necessity of such hostility is a sad mistake. The executive is not a party standing over against another party in such a way that each has continually to steal a march on the other and wrest something from the other. If such a situation arises in the state that is a misfortune but it cannot be called health. The tasks voted by the Estates moreover are not to be regarded

fact that it is through them that the state enters the subjective consciousness of the people and that the people begins to participate in the state.

180 Paragraph 302

The constitution is essentially a system of mediation. In despotisms where there are only rulers and people the people is effective if at all only as a mass destructive of the organization of the state. When the multitude enters the state's scene of its organization it achieves its interests by legal and orderly means. But if these means are lacking the voice of the masses is always for violence. Hence in despotism states that perpetually indulge the mob keep his wrath for his outrage. For the same reason too the mob in such states pays only a few taxes. Taxes in a constitutionally governed state simply obligate the people's own consciousness. In no country are so many taxes paid as in England.

181 Paragraph 306

The class has a volition of a more independent character. Of the whole the class of independent party workers divided into two sections and a section of farmers. But over against both of these sorts of people there stands the business class which is dependent on needs and concentrated in their satisfac-

mogeniture is grounded on the fact that the state should be able to reckon not on the bare possibility

of political inclinations but on something necessary. Now an inclination for politics is of course not bound up with wealth but there is a relatively necessary connection between the two because a man with independent means is not hemmed in by external circumstances and so there is nothing to prevent him from entering politics and working for the state. Where political institutions are lacking however the foundation and encouragement of primogeniture is nothing but a chain on the freedom of private rights and either political means must be given to it or else it will in due course disappear.

182 Paragraph 309

The introduction of representation implies that consent is to be given not directly by all but only by plenipotentiaries since under a representative system the individual qua infinite person no longer comes into the picture. Representation is grounded on trust but trusting another is something different from giving my vote myself in my own person incapacity. Hence majority voting runs counter to the principle that I should be personally present in any thing which is to be obligatory on me. We have confidence in a man when we take him to be a man of discretion how will man care for affairs conscientiously and to the best of his knowledge just as if they were his own. The principle of the individual subjective will disapproves such confidence is given to a thing to a man's principles or his demeanor or his conduct or his concrete merit generally. The important thing then is that a member of the Estates shall have a character of insight and will adequate to his task of conceiving on public business. In other words that is no question of an individual's talking as an abstract single person. The point is rather that his interests are made good in an assembly whose business is with the general interest. The electors require a guarantee that their duty will further and secure this general interest.

183 Paragraph 315

Estates Assemblies open to the public are a great spectacle and an excellent education for the citizen and it is for this that the people learns to know to recognize the true character of its interests. The individually dominant is that everyone knows for himself the state what is best for the state and that the Assembly debates its merits and discusses its knowledge. In fact however the precise contrary is the truth. It is here that there first begins the development of virtues abilities dexterities which have to serve as examples to the public. Of course such debates are pleasant to ministers who have to equip themselves with talent and eloquence to meet the criticisms there directed against them. Nonetheless public blicity here is the chief means of educating the public in national affairs. A nation which has such public situation is far more vitally related to the state than one which has no Estates Assembly where which meets in private. It is only because the very thing is made known publicly that why that the two Houses keep pace with the advance of public opinion and it then

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should not decide on war and peace and in any case they have their influence on the question particularly in connexion with ways and means. In England for example no unpopular war can be waged. If however it is supposed that monarchs and cabinets are more subject to the influence of public opinion

is to be a prey to excitement or be carried away by passion to a greater extent than their leaders. In England the whole nation has frequently pressed for war and to a certain extent compelled ministers to wage it. The popularity of Pitt was due to his knowing how to fall in with what the people wanted at the time. It was only later that the people cooled down and so began to reflect that the war was useless and unnecessary and had been undertaken without counting the cost. Moreover a state stands in relation not with one other state only but with many. And the complexities of their relations become so delicate that they can be handled only by the head of the state.

191 *Pa ag aph 330*

States are not private persons but completely autonomous political entities.

It is made to regard the state as a person with the rights of persons and as a moral entity. But the nation is not a person.

It is also to be right in principle but in mundane affairs a principle ought also to have power. Now

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since there is no power in existence which decides in face of the state what is right in principle and actualizes this decision it follows that so far as international relations are concerned we can never get beyond an ought. The relation between states is a relation between autonomous entities which make mutual stipulations but which at the same time are superior to these stipulations.

192 *Pa ag aph 311*

When Napoleon defeated me in the form of a nation as I

implied was simply the thing itself which carries with it without any verbal expression the guarantee of recognition.

193 *Pa ag aph 338*

Modern wars are therefore humanely waged and person is not set over against person in hatred. At most personal animities appear in the vanguard but in the main body of the army hostility is something vague and gives place to each side's respect for the duty of the other.

194 *Pa ag aph 330*

The European peoples form a family in accordance with the universal principle underlying their legal codes, their customs and their civilization. This principle has modified the eternal moral code of the world.

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[1797 at the close of Napoleon's first Italian campaign]

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INTRODUCTION

The subject of this course is lectures 1. The political and economic life of the world. And by this must be understood a collection of general observations respecting it, collected by the study of its record, and proposed to be illustrated by its facts, but universal history itself. To gain a clear idea, as the others, of the nature of our task, it seems necessary to begin with an examination of the other methods of treating history. The various methods may be ranged under three

- I. Original hist. re.
- II. Reductive hist. re.
- III. Photocatal. hist. re.

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Of the five kinds of emotion for one or two
~~emotions~~ names will furnish definite time.
 There is a story by one Herodorus Thucydides
 in which the first emotion and whose de-
 scriptions are for the most part limited to death,
 grief and such as follow when they had be-
 fore lost eyes and whose eyes they wanted.
 They were transferred what was possible to
 would around them to the realm of representation
 the matter. An external phenomenon is thus
 transferred into an internal conception. In the
 same way the poet transfers upon the material
 of the world the emotion projecting into
 the world of the eye if only. These original
 emotions are true, fixed statements and
 characters of the mind read to hand. One per-
 son can be an eye and witness of every-
 thing. But we make use of words only as the
 poet does. The language is an artificial
 language which he uses to which merely as
 an emotion. His "prophets" bind together the
 feeling emotions in a story and treasure them up
 for emotion in the temple of Memory.
 Words, bands, cones, traditions, must be ex-
 tracted from each original history. These are the

I cannot envision a work that will serve as a counterpart of the corner box in remark the in my Phil. 4: 10-11. I have a ready guess as to what the universal cry as is pronounced by the chief elements of our society is: "Let God be self."

dim and hazy forms of half mental apprehension, and therefore bearing it nations whose intelligence is but half awakened. Here on the contrary we have to do with people fully conscious of what they were and what they were about. The domain of reality—actually seen, or capable of being so—acquired a very different basis in power of firmness from that furnished and shadowed element, in which were enrendered those legends and poetical dreams whose historical pretensions were as soon as nations have attained a mature individuality.

Such signal his organs then, change the even's the deeds and the states of society with which they are conversant and an object for the concerns of civil life. The narratives then leave us cannot therefore be very comprehensive in their range. Herodotus, Thucydides, Guicciardini, may be taken as fair samples of the class in this respect. What is present and living in their environment is their proper material. The influences that have formed the writer are denuded with those which his work added the even's that constitute the matter of his story. The author's spirit, and that of the actions he narrates is one and the same. He describes scenes in which he himself has been an actor or at least an interested spectator. It is short periods of time individual lives of persons and occurrences, unreflected traits of which he makes his picture. And his aim is no, him, more than the presentation to posterity of an image of events as clear as that which he himself possessed in virtue of personal observation, or like-like description. Reflections are none of his business for he lives in the event of his subject he has not aimed at leaving a record. If as in Guicciardini belongs to the extended rank of generalists, its essence, it is the preservation of his own life and the truth of the history.

uch speeches as we find in Thucydides (for ex-
am) of which we can positively assert that
they are not bona fide reports would seem to
make against our statement that his view of
his class presents us in reflected picture of
persons and people as seen in his works in *pr* &
persona speeches thus be allowed are very

table transactions in the human commonwealth in fact very gravely influential transactions. It is indeed often said: Such and such things are only talk, by way of demonstrating their harmlessness. That for which this excuse is brought may be mere talk, and talk enjoys the important privilege of being harmless. But addresses of peoples to peoples, or orations directed to nations and to princes are integral constituents of history. Granted that such orations as those of Pericles—that most profoundly accomplished genuine noble statesman—were elaborated by Thucydides, it must yet be maintained that they were not foreign to the character of the speaker. In the orations in question these men proclaim the maxims adopted by their countrymen, and which formed their own character; they record their views of their political relations, and of their moral and spiritual nature, and the principles of their designs and conduct. What the historian puts into their mouths is no supposititious system of ideas, but an uncorrupted transcript of their intellectual and moral habits.

Of these historians whom we must make thoroughly our own, with whom we must linger long, if we would live with their respective nations, and enter deeply into their spirit, of these historians, to whose pages we may turn not for the purposes of erudition merely, but with a view to deep and genuine enjoyment, there are fewer than might be imagined. Herodotus, the Father, the Founder of History, and Thucydides have been already mentioned. Xenophon's account of the retreat of the Ten Thousand is a work equally original. Cæsar's *Commentaries* is the simple masterpiece of a mighty spirit. Among the ancients, these annalists were necessarily great captains and statesmen. In the Middle Ages, if we except the bishops, who were placed in the very centre of the political world, the monks monopolize this category as naive chroniclers, who were as decidedly isolated from active life as those elder annalists had been connected with it. In modern times the relations are entirely altered. Our culture is essentially comprehensive, and immediately changes all events into historical representations. Belonging to the class in question, we have vivid, simple, clear narrations—especially of military transactions—which might fairly take their place with those

of mark, though relating to affairs of little repute. They not unfrequently contain a large proportion of anecdotal matter, so that the ground they occupy is narrow and trivial. Yet they are often veritable masterpieces in history, as those of Cardinal de Retz, which in fact trench on a larger historical field. In Germany such masters are rare. Frederick the Great (*Histoire de mon temps*) is an illustrious exception. Writers of this order must occupy an elevated position. Only from such a position is it possible to take an extensive view of affairs—to see everything. This is out of the question for him who from below merely gets a glimpse of the great world through a miserable cranny.

II

The second kind of history we may call the *reflective*. It is history whose mode of representation is not really confined by the limits of the time to which it relates, but whose spirit transcends the present. In this second order a strongly marked variety of species may be distinguished.

1. It is the aim of the investigator to gain a view

material is the main point. The workman approaches his task with his own point a point distinct from that of the element he is to manipulate. Here a very important consideration will be the principles to which the author refers, the bearing and motives of the actions and events which he describes, and those which determine the form of his narrative. Among us Germans this reflective treatment and the display of ingenuity which it occasions assume a manifold variety of phases. Every writer of history proposes to himself an original method. The English and French confess to general principles of historical composition. Their standpoint is more that of cosmopolitan or of national culture.

ing when it has no farther aim than to present the annals of a country complete. Such compila-

the works
on Mul
well per

formed highly meritorious. Among the best of the kind may be reckoned such annalists as approach those of the first class, who give so vivid a transcript of events that the reader may well

to contemporary and

the study of
of
each
and

such reflections are truly interesting even
in the spirit of Moral

of titles in any period and whose use is
with the want

the nations are not to be employed
mended to the teaching which experience offers
in history But what experience and history teach
is this—that peoples are governed never by

style in which Livy use expands a dialogue
his analysis in the periods of which Polybius
account has been preserved. Johannes von Müller
has given a stiff formal paragraph to
his history in the end and to remain faithful in
his portraiture to the times he describes. We
must hope the relative weakness of his day
All the more natural that appears in
the gap of a few titles and affects the chaos

At the very least the period of long periods
of time ought to be examined and for the
th attempt to gain a dual representation of
the past is totally excluded. It must for the
horten to pictures by abstractness and thus
does not merely the most of events and
deeds but what is involved; the fact that
thought is fit for the most trenchant to-
tunist. As till great to try a page no longer
material to original pictures but is put off
the abundance. When Livy gets to the
of the wars of the Volsci we sometimes have
the brief announcement. This year war was
carried on with the Volsci.

As a piece of reflective history is
it may still be the germ of a whole.

pressure of great events a general principle is

help. It is useless to refer to small circles
stances in the past. The pallid shades of mem-
ory struggle in vain with the life and freedom
of the present. Looked at in this light nothing
can be shall be than the oft repeated appeal
to Greek and Roman examples during the French
Revolution. Nothing is more diverse than the
of those nations and that of our time.
Johannes von Müller in his *Universal History*
also in his *History of Switzerland* had such
materials in view. He designed to prepare
body of political doctrines for the instruction of
people governments and peoples (he formed
a special collection of doctrine and reflec-
tions—frequently giving his own copy of
the exact number of apophthegms which
he had compiled in a week) but he cannot ex-
plain the past of his labours though he is
comprehensive view of historical relations (such
as we find in Montaigne's *Essays*) that can give truth and interest to reflection
is the direct reflection of history the
for superseding another. The materials are
not to be written which is likely enough to

in us but that which pervades them—
the deep moral and intellect—This
takes the current out of the at the very of the
past makes it really a pragmatic

readers have often returned with pleasure to a narrative adopting no particular point of view. These certainly have their value but for the most part they offer only material for history. We Germans are content with such. The French on the other hand display great genius in reanimating bygone times and in bringing the past to bear upon the present condition of things.

3 The third form of reflective history is the *critical*. This deserves mention as pre eminently the mode of treating history now current in Germany. It is not history itself that is here presented. We might more properly designate it as a history of history—a criticism of historical narratives and an investigation of their truth and credibility. Its peculiarity in point of fact and of intention consists in the acuteness with which the writer extorts something from the records which was not in the matters recorded. The French have given us much that is profound and judicious in this class of composition but they have not endeavored to pass a merely critical procedure for substantial history. They have duly presented their judgments in the form of critical treatises. Among us the so called higher criticism which reigns supreme in the domain of philology has also taken possession of our historical literature. This higher criticism has been the pretext for introducing all the anti historical monstrosities that a vain imagination could suggest. Here we have the other method of making the past a living reality—putting subjective fancies in the place of historical data—fancies whose merit is measured by their boldness—that is the scantiness of the particulars on which they are based and the peremptoriness with which they contravene the best established facts of history.

4 The last species of reflective history announces its fragmentary character on the very face of it. It adopts an abstract position yet since it takes general points of view (e.g. as the history of art or law or religion) it forms a transition to the Philosophical History of the World. In our time this form of the history of ideas has been more developed and brought into notice. Such branches of national life stand in close relation to the entire complex of a people's annals and the question of chief impor

ta nced to the adoption of general points of view if the position taken is a true one these are found to constitute—not a merely external thread a superficial series—but are the inward guiding soul of the occurrences and actions that occupy a nation's annals. For like the soul-conductor Mercury the idea is in truth the leader of peoples and of the world and spirit the rational and necessitated will of that conductor is and has been the director of the events of the world's history. To become acquainted with spirit in this its office of guidance is the object of our present undertaking. This brings us to

III

The third kind of history—the *philosophical*. No explanation was needed of the two previous classes: their nature was self evident. It is other wise with this last which certainly seems to require an exposition or justification. The most general definition that can be given is that the philosophy of history means nothing but the *thoughtful consideration of it*. Thought is indeed essential to humanity. It is this that distinguishes us from the brutes. In sensation cognition and intellection in our instincts and volitions as far as they are truly human thought is an invariable element. To insist upon thought in this connection with history may however appear unsatisfactory. In this science it would seem as if thought must be subordinate to what is given to the realities of fact that this is its basis and guide while philosophy dwells in the region of self produced ideas without reference to actuality. Approaching history thus prepossessed speculation might be expected to treat it as a mere passive material and so far from leaving it in its native truth to force it into conformity with a tyrannous idea and to construe it as the phrase is *a priori*. But as it is the business of history simply to adopt into its records what is and has been actual occurrences and transactions and since it remains true to its character in proportion as it strictly adheres to its data we seem to have in philosophy a process diametrically opposed to that of the historiographer. This contradiction and the charge consequently brought against speculation shall be explained and confuted. We do not however propose to correct the innumerable special misrepresentations trite or novel that are current respecting the aims the interests and the modes of treating

nomina (art law religion etc.) appear as purely accidental national peculiarities. It must be remarked that when reflective history has ad

conception of reason that reason is the sover

and the world. Let the history of the world, therefore, present us with a rational process. This contention and intuition is a hypothesis in the domain of history as such. In this philosophical hypothesis it is there proved by speculative cognition, that reason—and the term is here used in widest investigating the relation established by the universe to the divine being—is as true well as metaphysics is equally as true underlying all the natural and even all the which it contains as also the spiritual forms—the which is the material in motion. On the one hand, reason is the substance of the universe viz. that by which and in which all real being and substance. On the other hand, it is the *real energy* of the universe—since reason is not so powerless as to be incapable of producing anything, but a mere ideal, mere intention, having its place outward reality nobody knows where—wherever separates and abstract in the hands of certain human beings. It is the *self-revealing* of things their entire

Now I am in the L. of the self-cognizing idea. Yet I am not obliged to make any such preliminary demand upon your faith. What I have said thus provisionally and what I shall have further to say is, even in reference to our branch of science in it to be regarded as hypothetical but as a summary view of the whole the *result of the investigation* we are about to pursue a result which happens to be known to me because I have traversed the entire field. It is only an inference from the history of the world that its development has been a rational process but the history in question has constituted the rational necessary course of the world-process itself whose nature is always one and the same but which unfolds thus its one as well as the phenomena of the world's existence. This result, as before stated, presents itself as the *result of history*. But we have to take the latter as it is. We must proceed historically — empirically. Among other precautions we must take care not to be misled by projected historical laws (especially among the Germans).

[illegible][illegible]

and enjoy a considerable autonomy) are characterizable with the procedure of which they create the philosopher—reducing a previous men of their own in the records of the past. It is for example a wild but current fiction that there was an original preverbal people taught immediately by God, endowed with perfect insight and wisdom, possessing a thorough knowledge of all natural laws and essential truth, that there have been such or such sacred ancestral peoples or to mention a more specific example that there was a Roman epoch from which the Roman traditions derived their earliest influences etc. Authorities of this kind welcome the those falsified historians by proclamation among whom (in Germany at least) the use of the word "mythology" might then become it as the first condition to be observed, that we should faithfully denote the mythical original. But in such general expressions themselves "faithfully" and "denote" has the ambiguity. Even the ordinary use of the word "mythology" group or we believe and profess that he man is an open, receptive and surrendering himself only to the data supplied him by his means passive as regards the exercise of his thinking powers. He brings his categories with him, and sees the phenomena presented to his mental eye, exclusively through these media. And, especially in all that pretends to the name of science is indispensable that reason should keep—that reflection should be in full play. The philosopher looks upon the world rationally.

world in its turn presents a rational aspect. The relation is mutual. But the various exercises of reflection, the different points of view, the modes of deciding the simple question of the relative importance of events (the first category that occupies the attention of the historian) do not belong to this place.

I will only mention two phases and points of view that concern the generally diffused conviction that reason has ruled and is still ruling in the world and consequently in the world's history, because they give us at the same time an opportunity for more closely investigating the question that presents the greatest difficulty and for indicating a branch of the subject which will have to be enlarged on in the sequel.

I. One of these points is that passage in history which informs us that the Greek Anaxagoras was the first to enunciate the doctrine that understanding generally or reason governs the world. It is not intelligence as self-conscious reason—not a spirit as such that is meant, and we must clearly distinguish these from each other. The movement of the solar system takes place according to unchangeable laws. These laws are reason implicit in the phenomena in question. But neither the sun nor the planets which revolve around it according to these laws can be said to have any consciousness of them.

A thought of this kind—that nature is an em-

such conceptions and find nothing extraordinary in them. And I have mentioned this extraordinary occurrence partly to show how history teaches that ideas of this kind which may seem trivial to us have not always been in the world that on the contrary, such a thought makes an epoch in the annals of human intelligence. Aristotle says of Anaxagoras as the originator of the thought in question that he appeared as a sober man among the drunken. Socrates adopted the doctrine from Anaxagoras and it forthwith became the ruling idea in philosophy—except in the school of Epicurus who ascribed all events to chance. I was delighted with the sentiment—Plato makes Socrates say—and hoped I had found a teacher who would show me nature in harmony with reason who would demonstrate in each particular phenomenon its specific aim and in the whole the grand object of the universe. I would not have surrendered this hope for a great deal. But how very much was I disappointed when having zealously applied myself to the writings of Anaxagoras I found that he

adduces only external causes such as atmosphere, ether, water and the like. It is evident that the defect which Socrates complains of respecting Anaxagoras' doctrine does not concern the principle itself but the shortcoming of the propounder in applying it to nature in the concrete. Nature is not deduced from that principle; the latter remains in fact a mere abstraction inasmuch as the former is not comprehended and exhibited as a development of it—an organization produced by and from reason. I wish at the very outset to call your attention to the important difference between a conception, a principle, a truth limited to an abstract form and its determinate application and concrete development. This distinction affects the whole fabric of philosophy and among other bearings of it there is one to which we shall have to revert at the close of our view of universal history in investigating the aspect of political affairs in the most recent period.

We have next to notice the rise of this idea—that reason directs the world—in connection with a further application of it well known to us—in the form of the *religious truth* that the world is not abandoned to chance and external contingent causes but that a *Providence* controls it. I stated above that I would not make a demand on your faith in regard to the principle announced. Yet I might appeal to your belief in it *in this religious aspect* if as a general rule the nature of philosophical science allowed it to attach authority to presuppositions. To put it in another shape—this appeal is for bidden because the science of which we have to treat proposes itself to furnish the proof (not indeed of the abstract *truth* of the doctrine but) of its correctness as compared with facts. The truth then that a Providence (that of God) presides over the events of the world—concord with the proposition in question for *Divine Providence* is wisdom endowed with an infinite power which realizes its aim is the absolute rational design of the world. Reason is thought conditioning itself with perfect freedom. But a difference rather a contradiction will manifest itself between this belief and our principle just as was the case in reference to the demand made by Socrates in the case of Anaxagoras' dictum. For that belief is similarly indefinite it is what

history is to depict the passions of mankind, the genius, the active powers that play their part on

the great stage and the providentially determined process which the exhibit represents what is generally called the 'plan' of providence. It is thus every plan which is supposed to be concealed from our view which it is admitted as a presumption to want to recognize

— by which all things are done

— for the sake of

apply his general principle to the case. It was decided the latter from the former. It was the first step in the process.

characterize it find in this false position of justification and the pious modesty which puts

between our thesis—that reason governs—and the question of the possibility of a knowledge of God chiefly that I might not lose the opportunity of making the imputation against philosophy of being shy of

has unexpectedly come to an individual in great perplexity. But the instances of partial design are of a limited kind and cannot be the complement of other general truths. The design of the individual in question. But in the history of the world the individual is not to be identified with particular talents that exist. We cannot therefore be satisfied with what we may call the peddling of particular truth which the belief alluded to limits itself. Equally unsatisfactory the merely abstract defined belief in a process when that belief is brought to bear upon the details of the process which it concerns. On the contrary our method must be directed to the generalities of the ways of Providence. The meaning of the historical phenomena in which it manifests itself. We must show that the theological principle is a mere accident. But in the religious opinion of the people of Providence generally I have implicitly had upon the present question of the day that the possibility of knowing God through the religious opinion has ceased to allow it to be matter of opinion from the doctrine that it is impossible to know God. I direct attention to what is commanded. Highly significant the highest duty—that we should be made by love to know God—that the prevalent dogma in the denial of what is the case said that it is the spirit (der Geist)

the case the fact is that in recent times philosophy has been obliged to defend the domain of religion against the attacks of several theological systems. In the Christian religion God has revealed Himself in that is His sign to us to under

the knowledge of Him and who regard this knowledge of God as the only valuable possession. That development of the thinking spirit which has resulted from the revelation of the Divine Being as it is original has its most ultimate dependence to the full comprehension of what we are presented in the first instance to feel as a divine magnitude. The time must eventually come for understanding that religious perception of actualities which the history of the world offers to us. It was for awhile the fashion to profess admiration for the wisdom of God as displayed in animals plants and is lately current. But it is to be allowed that Providence manifests itself in history as divine existence why not in universal history? This is demanded too great matter to be the regarded. But divine wisdom is revealed as one and the same in the great and in the little and we must imagine God to be too weak to create His wisdom on the grand scale. Our intellectual striving aims

at realizing the conviction that what was intended by eternal wisdom is actually accomplished in the domain of existent active spirit as well as in that of mere nature. Our mode of treating the subject is in this aspect a *theodicea*—a justification of the ways of God—which Leibnitz attempted metaphysically in his method of indefinite abstract categories—so that the ill that is found in the world may be comprehended and the thinking spirit reconciled with the fact of the existence of evil. Indeed nowhere is such a harmonizing view more pressing demanded than in universal history and it can be attained only by recognizing the positive existence in which that negative element is a subordinate and vanquished nullity. On the one hand the ultimate design of the world must be perceived and on the other hand the fact that this design has been actually realized in it and that evil has not been able permanently to assert a coming sovereignty is as indicating the tendency to characteristically—*namely*—to show wherein it consists so as to enable us to decide whether a thing is rational or irrational. An adequate definition of reason is the first desideratum and whatever boast may be made of strict adherence to it in explaining phenomena. Without such a definition we get no farther than mere words. With these observations we may proceed to the second point of view that has to be considered.

When considered in reference to the world is identical with the question *what is the ultimate design of the world?* And the expression implies that that design is destined to be realized. Two points of consideration suggest themselves first the *import* of this design—its abstract definition and secondly its *realization*.

It must be observed at the outset that the phenomenon we investigate—universal history—belongs to the realm of *spirit*. The term *world* includes both physical and psychical nature. Physical nature also plays its part in the world's history and attention will have to be paid to the fundamental natural relations thus involved. But spirit and the course of its development is our substantial object. Our task does not require us to contemplate nature as a rational system in itself though in its own proper domain it proves itself such but simply in its relation to *spirit*. On the stage on which we are

observing it—universal history—spirit displays itself in its most concrete reality.

1. We must premise some abstract characteristics of the nature of spirit. Such an explanation however cannot be given here under any other form than that of bare assertion. The present is not the occasion for unfolding the idea of spirit speculatively for whatever has a place in an introduction must as already observed

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We have therefore to mention here

- (1) The abstract characteristics of the nature of spirit
- (2) What means spirit uses in order to realize its idea
- (3) Lastly we must consider the shape which the perfect embodiment of spirit assumes—the state

(1) The nature of spirit may be understood by a glance at its direct opposite—*matter*. As the essence of matter is gravity so on the other hand we may affirm that the substance the essence of spirit is freedom. All will readily assent to the doctrine that spirit among other properties is also endowed with freedom but philosophy teaches that all the qualities of spirit exist only through freedom that all are but means for attaining freedom that all seek and produce this and this alone. It is a result of speculative philosophy that freedom is the sole truth of spirit. Matter possesses gravity in virtue of its tendency toward a central point. It is essentially composite consisting of parts that exclude each other. It seeks its unity and therefore exhibits itself as self destructive as verging toward its opposite. If it could attain this it would be matter no longer it would have perished. It strives after the realization of its idea for in unity it exists ideally. Spirit on the contrary may be defined as that which has its centre in itself. It has not a unity outside itself but has already found it. It exists in and with itself. Matter has 14 15 contain ly For

to some thing else which I am not. I cannot exist independently of something external. I am free on the contrary when my existence depends upon myself. This self contained existence of spirit is none other than self consciousness con

consciousness of one's own being. Two things must be distinguished in consciousness first the fact that I know secondly what I know. In itself consciousness there are merged in one for spirit

in the actual phenomena of spirit. It is a point of fundamental importance in our science and one which must be constantly respected as essential. And in the same way as this distinction has attracted attention in view of the Christ

nature of the tree and the taste and so the fruits so did the first traces of spirit actually contain the whole of that history. The Orientals have not attained the knowledge that spirit—man as such—is free and because they do not know this they are not free. They only know that one is free. But in this they are united with freedom of that one is only captive of royalty—brutal reckless—passion or mildness and tameness of the desires which is to be only an accident of nature—man's caprice like the feline. That one is therefore only despot in that man. The consciousness of freedom is first becoming the Greeks otherwise they were free but they and the Romans likewise knew only that one is free not man as such. Even Plato and Aristotle did not know this. The Greek therefore had slaves and their whole life and the maintenance of their splendid liberty was implicated with the institution of slavery. For it is man who made that liberty on the one hand only an accidental, transient and limited growth of the other hand, contented itself with us, the thralldom of our common nature of the human. The German nation, under the influence of Christianity with the first attempt in the centuries that man as man, is free that is the freedom of spirit which on its nature is essence. This consciousness of one's first in eligi the inner spirit of spirit but to introduce the principle into the human relation with the eternal world, in order to extend the problem than its simple implantation in a people whose solution and application requires a long and lengthened process of culture. In proof of this we may note that the law did not take immediate effect the precepts of Christianity which did liberty predicted minutely in later generations and on institutions dopt rational organization, recognize freedom as their basis. The application of the principle to political institutions the thorough molding and interpretation of the constitution of society by it, is process identical with history itself. It has

ture it is our business to investigate

The general statement given above of the various grades in the consciousness of freedom—and why have we applied in the first instance to the fact that the East and Roman world only that one is free—the Greek and Roman world only that some are free while we know that all men absolutely (man as man) are free—supplies us with the natural direction of universal history and suggests the mode of its discussion. This is remarked, however only incidentally and analogically. Some other ideas must be first explained.

The destiny of the spiritual world, and—since this is the substantial world while the physical remains subordinate to it in the language of

without further qualification is an indefinite and incalculable ambiguous term and that while that which it represents is the *ne plus ultra* of attainment it is liable to an infinity of misunderstanding—confusions and errors—and to become the occasion for remarkable mistakes—has never been more clearly known and felt than in modern times. Yet if the present we must concern ourselves with the term itself with its further definition. Attention was also directed to the important difference between principle in the abstract and its realization in the concrete. In the process before us the essential nature of freedom—which in order to be absolute eternally—as to be displayed as coming to a consciousness of itself (for it is in its very nature self-consciousness) and thereby realizing its existence. Itself is its own object of attainment and the sole aim of spirit. This result it is that which the process of the world's history has been continually aiming and to which the sacri

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II The inquiry into the *essential destiny* of reason as far as it is considered in reference to the world is identical with the question *what is the ultimate design of the world?* And the expression implies that that design is destined to be realized. Two points of consideration suggest themselves first the *import* of this design—its abstract definition and secondly its *realization*.

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panorama of sin and suffering that history unfolds

The first remark we have to make and which though already presented more than once cannot be too often repeated when the occasion

developed essence which has as its own
itself not completely real. Aims principles
to have a place in our thought in our by
the design only but not yet in the sphere of
reality. That which exists for itself only is a
possibility potentiality but has not yet

passion of man. That same conception of mine

if any object must in one way or other be
my by right in the complement of such or
such design I must at the same time find my
satisfaction although the purpose for which
I exert myself includes a complication of re-
sult many of which have no interest for me.
The thing is quite right for personal interest
—it finds its satisfaction in its activity and labor.
If men do not interest themselves fully
they must (so to speak) have part of the just
enjoyment in their duty gratified by the attainment. He must be
dedicated. We tend to blame and justly impute
the fault when we say of individuals that
they do not take their part in such such
tasks (tasks) that is seeks only his private ad-
vantage. I am depending thus with myself with
himself for the right place. I am with many
engaged in my own design for which
he takes delight in his own interest
in his own sacrifices with this. But

cerned seek their own satisfaction in the issue.
They are particular units of society and they
have peculiar needs, instincts and interests gen-
erally peculiar to themselves. Among these

views and convictions or to use at all
in less decisive judgments of opinion suppos-
ing the impulses of reflection understanding
and reason to have been awakened. If the
cases people demand if they are to exert them-
selves in any direction that the object should

opinion

We assume then that nothing has been accom-
plished without interest on the part of the ac-
tors and—if interest be allied passion inas-
much as the whole individuality to the neglect
of all their actual or possible interests and
claims is devoted to an object with every fibre
of life concentrating its desires and pow-
ers upon it—we may affirm absolutely that *nothing*

poken of the idea of freedom is the nature of
spirit and the absolute goal of history. Pass-
ion is regarded the highest sinister aspect in
less immoral Man is required to have no pas-
sion. So far so that it is quite the untable
word for what I wish to express I mean here
the greater than the human activity as result-
ing from private interests—specie I mean if you
will else seeks designs—with this qualifica-
tion that the whole of good will and character
is devoted to the attainment that the
interests (which would then be the constitut-
ing aims) the all things else are
sacrificed to them. The object is est-
ablished upon which man will then be truly
and is inseparable from it. It has become the

facts that have ever and anon been laid on the vast altar of the earth through the long lapse of ages have been offered. This is the only aim that sees itself realized and fulfilled the only pole of repose amid the ceaseless change of events and conditions and the sole efficient principle that pervades them. This final aim is God's purpose with the world but God is the absolutely perfect Being and can therefore will nothing other than Himself—His own Will. The nature of His Will—that is His Nature itself—is what we here call the language.

The question

What means does this principle of freedom use for its realization? This is the second point we have to consider.

(2) The question of the means by which freedom develops itself to a world conducts us to the phenomenon of history itself. Although freedom is primarily an undeveloped idea the means it uses are external and phenomenal presenting themselves in history to our sensuous vision. The first glance at history convinces us that the actions of men proceed from their needs their passions their characters and talents and impresses us with the belief that such needs passions and interests are the sole springs of action—the efficient agents in this scene of activity. Among these may perhaps be found aims of a liberal or universal kind—benevolence it may be called—and general welfare perhaps we may see

who adopt such aims and within the sphere of their influence but they bear only a trifling proportion to the mass of the human race and the extent of that influence is limited accordingly. Passions private aims and the satisfaction of selfish desires are on the other hand most effective springs of action. Their power lies in the fact that they respect none of the limitations which justice and morality would impose on them and that these natural impulses have a more direct influence over man than the artificial and tedious discipline that tends to order and el restraint law and morality. When we look at this display of passions and the consequences of their violence the unreason which is associated not only with them but even (rather we might say especially) with good designs and righteous aims when we see the evil the vice the ruin that has befallen the most flourishing kingdoms which the mind of man ever created we can scarce avoid being filled

with sorrow at this universal taint of corruption and since this decay is not the work of mere nature but of the human will—a moral embitterment—a revolt of the good spirit (if it have a place within us) may well be the result of our reflections. Without rhetorical exaggeration a simply truthful combination of the miseries that have overwhelmed the noblest of nations and politics and the finest exemplars of private virtue—forms a picture of most fearful aspect and excites emotions of the profoundest and most hopeless sadness counterbalanced by no consolatory result. We endure in beholding it a mental torture allowing no defence or escape but the consideration that what has happened could not be otherwise that it is a fatality which no intervention could alter. And at last we draw back from the intolerable disgust with which these sorrowful reflections threaten us into the more agreeable environment of our individual life—the present formed by our private aims and interests. In short we retreat into the selfishness that stands on the quiet shore and thence enjoys in safety the distant spectacle of wrecks confusedly hurled. But even regarding history as the slaughter bench at which the happiness of peoples the wisdom of states and the virtue of individuals have been victimized—the question involuntarily arises—to what principle to what final aim these enormous sacrifices have been offered. From this point the investigation usually proceeds to that which we have made the general commencement of our inquiry. Starting from this we pointed out those phenomena which made up a picture so suggestive of gloomy emotions and thoughtful reflections—as the very field that we for our part regard as exhibiting only the means for realizing what we assert to be the essential destiny—the absolute aim or which comes to the same thing the true result of the world's history. We have all along purposely eschewed moral reflections as a method of rising from the scene of historical specialties to the general principles which they embody. Besides it is not the interest of such sentimentalities really to rise above those depressing emotions and to solve the enigmas of providence which the considerations that occasioned them present. It is essential to their character to find a gloomy satisfaction in the empty and fruitless sublimities of that negative result. We return them to the point of view which we have adopted observing that the successive steps (*Momente*) of the analysis to which it will lead us will also evolve the conditions requisite for answering the inquiries suggested by the

w ha e as means the sever l substances re
qu red for the wo k—ron wo d sto es The
lements ar made use of in wr k ng up this
mater l fire t melt the i n wind to blow the
fi e water to s t wheel in mot on in order to
cut the wo d etc The result s th t the wind
wh ch h s helped to build the h use is shut out
by the hou e so also a e the viole ce of rai s
a d fi ods and the destru t e powers of fire
far as the hou e is m d fi e p oof The sto es
and beams bey the law of g vity p es down
wa d nd s h gh w lls re carried up Thus the

from a d the ef re existing in ab te
n the limita

pasos f me are grtfd they de el p
thems l es nd ther am in accordance with
thei atur lte den es and b lld up the edifice

f d t a l f m t a p h y e l h l i m i t a t i o n g
t a l l f o r m s f p r t c l t y f w h a t e r
k u n d T h f o r m a l l i t n w i l t s l f d s s t
m l e t s o w n p e s h t y l d i a l l t h a t t p r
p o s s d d o e e e n t h p u s d i d u a l w h e s
t h e s a e d a n d h a p p y T h p l e f t h e a n
t h e s e x t i g f o t h e s f u n c t r a s t w i t h
t h e A b s l t U e r s l B e u n e p e a l s p a
r a t e i s t t a k i n g g n i z a c e f p e c i a l t y

They gratify their own test but something
of the substance is accomplished late in the

lizat This is the probability of happiness

the other part—burn th t therma sh use
Ac nnectio is immediately establi sh d betw en
th deed t lf and train of c rc m tances not
di e tly incl ded in it tak abst ctedly I t
lf t c ted in m ely p tng small
flam to a sm ll port on of a be m E ts n t
l ed in that simpl act foll w f themsel es
Th part of th beam which was s t fir t is
conn ct d with its em t port on th beam
ts lf united w th th woodwo k of the house
g e lly a d th s w th oth r ho es so that
wide co fl gr ti s wh ch d stroy the
g od and chattels f m ny the p be
d s h g in t wh m the act f ev ge w
fi st directed pe h ps ev t of a few n
th l es This l y n ther the d ed b
t t dly in the d ga of the man wh
c mm it d t B t th ti h s f r the gen
f albea ring I th d e g nof the doe tw ly
evng exec ted ag inst d dual in the de
d tru tion of his p p rty b t t s m re er
me and that in l es pu shme t als This
e m y ot ha b n p esent t the mind f the
d, m y pe rator till le s in his inte ty but hus

h p p e s P r i d s h a p p e s e b l a n k p a g e s
 i n t f t h e y p e r i o d s f h r m o n y p r o d s
 h e n t h t t h e s i s i n b y R f i c t i o n
 s e l f t h f e e d m a b e d e r i b e d i b
 t t y d f i d a s t h e f r m a l e m e n t o f t h
 t u t y f i t h b l u t d e a T h e l i z g o e t t y
 f h h e h a s p o k t h e m i d d l e t e r m o f
 t h y l l o g i s m f w h e t r e m e t h u n i
 r s a l t h s d w h i h e p o s e t h
 p e t r a l i a f p r i t d t h o t h t h c m p l e
 f x t r n a l t h i n g s o b j t i m t t T h a t
 t t y i s t h e m d r u m b y w h i h t h u n i e r s i l i a
 t p r i p l e i s t r a n s l a t d i n t t h d m a i n f
 b i t t y

I will endeavor to make what has been said more clear by examples.

The building of houses is the first instance by which man and design. On the one hand,

very essence of his volition. For a person is a specific existence not man in general (a term to which no real existence corresponds) but a particular human being. The term character likewise expresses this idiosyncrasy of —

form that is as nature a hidden most profoundly hidden unconscious instinct and the whole process of history (as already observed) is directed to rendering this unconscious impulse a conscious one. Thus appearing in the form of merely natural existence natural will—that which has been called the subjective side—physical craving instinct passion private interest—as also opinion and subjective conception—spontaneously present themselves at the very commencement. This vast congeries of volitions interests and activities constitute the instruments and means of the world spirit for all

and contemplation of itself in concrete actuality. But that the manifestations of vitality on the part of individuals and peoples in which they seek and satisfy the

usually—might be made a matter of question rather has been questioned and in every variety of form negated denied and condemned as mere dreaming and philosophy. But on this point I announced my view at the very outset and asserted our hypothesis—which however will appear in the sequel in the form of a legitimate inference—and our belief that reason governs the world and has consequently governed its history. In relation to this independently universal and substantial sentence—all else is subordinate subservient to it and the means for its development. The union of universal abstract existence generally with the individual—the subjective—that this alone is truth belongs to the department of speculation and is treated in this general form in logic. But in the process of the world's history itself as still incomplete the abstract final aim of history is not yet made the distinct object of desire and interest. While these limited sentiments are still unconscious of the purpose they are fulfilling the universal principle is implicit in them and is realizing itself through them. The question also assumes the form of the union of freedom and necessity the latent abstract process of spirit being regarded as necessity while that which is

the idea of these forms of thought belongs to logic it would be out of place to analyze it here. The chief and cardinal points only shall be mentioned.

private relations etc. and is not limited to his idiosyncrasy in its practical and active phase. I shall therefore use the term passions understanding thereby the particular bent of character as far as the peculiarities of volition are not limited to private interest but supply the impelling and actuating force for accomplishing deeds shared in by the community at large. Passion is in the first instance the subjective and therefore the formal side of energy will and activity—leaving the object or aim still undetermined. And there is a similar relation of formality to reality in merely individual conviction individual views individual conscience. It is always a question of essential importance what is the purport of my conviction what the object of my passion in deciding whether the one or the other is of a true and substantial nature. Conversely if it is so it will inevitably attain actual existence—be realized.

From this comment on the second essential element in the historical embodiment of an aim we infer glancing at the institution of the state in passing that a state is then well constituted and internally powerful when the private interest of its citizens is one with the common interest of the state when the one finds its gratification and realization in the other—a proposition in itself very important. But

understanding before what is really appropriate can be discovered—involving moreover contentions with private interest and passions and a tedious discipline of these latter in order to bring about the desired harmony. The epoch when a state attains this harmonious condition marks the period of its bloom its virtue its vigour and its greatness. The history of mankind circles into various forms themselves of set purpose. The mere social instinct implies a conscious purpose of security for life and property and when society has been constituted this purpose becomes more comprehensive. The history of the world begins with its general aim the realization of the idea of spirit only in an implicit

Such individuals had no consciousness of the general idea & even were unfulfilled while pursuing those aims. It is so the contrary they were practical, political men. But at the same time they were thinkers men who had an insight into the requirements of the time—what was *due for the moment*. This was the very truth for their age for their world the species next in order to man and which was already formed in the womb of time. It was thus to know this ancient principle the necessary directly sequent step in progress which their world was to take to make this their aim and to expect their energy in promoting it. World has other men—the heroes of an epoch, must therefore be recognized as its clear-sighted ones *their deeds their words* the best of that time. Great men have formed purposes to satisfy themselves, & others. What prudent demands and unselfish they may have learned from others would be the more limited and incomplete features in their career for it was they

— — — —

Each step in history is the inmost soul of all in dual, but in a state of unconsciousness which the great men in question aroused. There

some whose location it was to be the agents of the world—want we shall find that have been no happy one. They attained no calm enjoyment, their whole life was labor and trouble, their whole nature was unquiet, but their master passion. When their object is attained they fall in like empty shells from the kernel. The diary like Alexander they are murdered, like Cæsar transported to St. Helena like Napoleon. This is the soul consolation—that historical men have attained what is called happiness, and of which only part is life (and this may be passed undisturbed by any external circumstances) is possible—this consolation those may draw from history who understand life and its created by energy—what is great and transcendent—can never tire of its depreciation, and it finds a new flaw in it. Thus in modern times it has been demonstrated that man that prizes are generally unhappy on their thrones in contrast with such things possess on a faith one is treated, and men quiver in the fact that not themselves but the personages in question are occupants. The free man we may observe

is not envious but gladly recognizes what is great and exalted, and rejoices that it exists.

It is in the light of those common elements which constitute the interest and therefore the passions of mankind that these historical men are to be regarded. They are great men because they willed and accomplished more than great men a mere fancy a mere intention but that which met the case and fell in with the needs of the age. This mode of considering them also excludes the so-called "psychological view" which serving the purpose of every most effectual all contrives to refer all actions to the heart—to bring them under such a subjective aspect—as that their authors appeal to have done everything under the impulse of some passion, in an or grand—some morbid craving—and on account of these passions and cravings to have been not moral men. Alexander of Macedon partly subdued Greece and then Asia therefore he was possessed by a morbid craving for conquest. He is alleged to have acted from a craving for fame, for conquest and the proof that these were the impelling motives is that he did that which resulted in fame. What pedagogy has not demonstrated of Alexander the Great of Julius Cæsar that they were instigated by such passion, and were consequently immoral men? When the conclusion immediately follows that he the pedagogy is a better man than they because he has such passions a proof of which lies in the fact that he does not conquer Asia—vanquish Darius and Persus—but while he enjoys life himself lets others enjoy it too. These pas-

sions and acquaintances he has passing impulses and ebullitions of temper. No man is a hero to his valet-de-chambre is a well known proverb I have added—and Goethe repeated it ten years later—but not because the former is no hero but because the latter is a valet. He takes off the hero's boots etc. Historical personages waited upon in historical literature by such psychological details come poorly off. They are brought down by these theoretical level of the morality of such exquise discerners of spirits. The Thucydides of Homer who abuses the kings is a standing figure of all times. But was that is beating with a solid cudgel he does not get in every age as in the Homeric age but his energy his egotism is the thing

deed itself the general principles it calls into play its substantial content entails it By this example I wish only to impress on you the consideration that in a simple act something further may be implicated than lies in the intention and consciousness of the agent The example before us involves however this additional consideration that the substance of the act consequently we may say the act itself recoils upon the perpetrator—reacts upon him with destructive tendency This union of the two extremes—the embodiment of a general idea in the form of direct reality and the elevation of a speciality into connection with universal truth—is brought to pass at first sight under the conditions of an utter diversity of nature between the two and an indifference of the one extreme towards the other The aims which the agents set before them are limited and special but it must be remarked that the agents themselves are intelligent thinking beings The purport of their desires is interwoven with *general essential* considerations of justice good duty etc for mere desire volition in its rough and savage forms falls not within the scene and sphere of universal history Those general considerations which form at the same time a norm for directing aims and actions have a determinate purport for such an abstraction as good for its own sake has no place in living reality If men are to act they must not only intend the good but must have decided for themselves whether this or that particular thing is a good What special course of action however is good or not is determined as regards the ordinary contingencies of private life by the laws and customs of a state and here no great difficulty is presented Each individual has his position he knows on the whole what a just honorable course of conduct is As to ordinary private relations the assertion that it is difficult to choose the right and good—the regarding it as the mark of an exalted morality to find difficulties and raise scruples on that score—may be set down to an evil or perverse will which seeks to evade duties not in themselves of a perplexing nature or at any rate to an idly reflective habit of mind—where a feeble will affords no sufficient exercise to the faculties—leaving them therefore to find occupation within themselves and to expend themselves on moral self adulation

It is quite otherwise with the comprehensive relations that history has to do with In this sphere are presented the momentous collisions between existing acknowledged duties laws and rights and those contingencies which are ad-

verse to this fixed system which assail and even destroy its foundations and existence whose tenor may nevertheless seem good—on the large scale advantageous—yes even indispensable and necessary These contingencies realize themselves in history they involve a general principle of a different order from that on which depends the *permanence* of a people or a state This principle is an essential phase in the development of the *creating* idea of truth striving and urging towards itself Historical men—*world historical individuals*—are those in whose aims such a general principle lies

Cæsar in danger of losing a position not perhaps at that time of superiority yet at least of equality with the others who were at the head of the state and of succumbing to those who were just on the point of becoming his enemies belongs essentially to this category These enemies who were at the same time pursuing *their* personal aims had the form of the constitution and the power conferred by an appearance of justice on their side Cæsar was contending for the maintenance of his position honor and safety and since the power of his opponents included the sovereignty over the provinces of the Roman Empire his victory secured for him the conquest of that entire empire and he thus became though leaving the form of the constitution the autocrat of the state That which secured for him the execution of a design which in the first instance was of negative import the autocracy of Rome was however at the same time an independently necessary feature in the history of Rome and of the world It was not then his private gain merely but an unconscious impulse that occasioned the accomplishment of that for which the time was ripe Such are all great historical men—whose own particular aims involve those large issues which are the will of the world spirit They may be called heroes inasmuch as they have derived their purposes and their vocation not from the calm regular course of things sanctioned by the existing order but from a concealed fount—one which has not attained to phenomenal present existence—from that inner spirit still hidden beneath the surface which impinging on the outer world as on a shell bursts it in pieces because it is another kernel than that which belonged to the shell in question They are men therefore who appear to draw the impulse of their life from themselves and whose deeds have produced a condition of things and a complex of historical relations which appear to be only *their* interest and *their* work

ery of man's nature, outward honour and
 like. But in seeking for something which in
 itself raised content is an aim of existence that
 cannot be well or ill-faring if these things are
 held individuals cannot be regarded as an even
 treatment with the disorder of the universe.
 With more justice than elsewhere or a so-
 times environment of the mind does not is de-
 manded of the grand aim of the world's ex-
 istence that it should forever be in accord with ex-
 istence and its nature of good, in all such con-
 siderations.

find their in effects decidedly thrust into the
 background. But by the term "ideal" we also
 understand the deal of reality, of the good, of
 the true. Poets, e.g. Schiller have pursued
 such ideas to their end with true emotion,
 and with the deep melancholy conviction that
 they could not be realized. In affirming on the
 contrary that the universal reason does realize
 itself we have indeed come to do with the in-
 dividual empirically regarded. That admits of
 degrees of better and worse since here chance
 and necessity have received authority from the
 idea to exercise their monstrous power. Much
 of the particular aspects of the grand ph-
 enomenon must be found fault with. This
 subjective feeling of lacking—which, however, still
 keeps in view the individual and its deficiency
 with its taking notice of reason pervades the
 whole easily and marvellously as it asserts an
 excellent intention with regard to the good of
 the world and seems to result from a kindly
 heart which feels authorized to give itself and
 a great consequence. It is easiest to discover
 a deficiency in individual in ideas and in
 Providence than to see their real import and
 value. For in this mere intuitive finding
 a proud position is taken, one which overlooks
 the byet with the being entered into, with
 out having comprehended its positive aspect.
 Age generally makes men more tolerant, youth
 is always discontented. The tolerance of age is
 the result of the ripeness of judgment which,
 not merely as the result of indifference is satis-

liver with their own time and
 to be. In this case it is a personal interest in
 particular desires gratified by reason, just
 as liberty and endowed with its title to de-
 mand in question assumes lofty bearing and
 readily does position of mere of discon-
 tent but even revolts against the actual con-
 dition of the world. To assume such a feeling
 and to view it as the demand that is put
 on, and the very dramatic actions asserted,
 may be examined. And then so much as in us
 we have such general principles and notions
 been developed with greater certainty. If in
 days gone by the one seems to present itself as
 a virtue, if in our time it is a duty. Dis-
 plays of passion are of various kinds, partly
 by predominate of the stronger passions as-
 suming the stronger passions as part that
 of passions and interests essentially subjective
 but under the mark of such higher intentions. The
 passions thus considered for as human in
 the same of that which has been stated as the
 human aim, reason, pursue accordingly for ab-
 solute aims—the aim extent as relation,
 in all such notions as before remarked, is
 now more common than the one and that the
 other. These notions are set up are called
 dreams. These dreams are destroyed by
 reality. These dreams which in the over-
 all founder on the rocks of reality may
 be in the first place not subjective, and be-
 come the dream of the individual, may
 make himself the highest and wisest. Such do
 not properly belong to this category. For the
 notions which the individual in his acts on in-
 dividuals cannot be the model for universal rea-
 son, as never a law is not derived from the
 mind of the mass. These as such may in fact,

it will, to be that the true good, the universal
 divine reason, is not mere abstraction, but a
 vital principle capable of raising itself. This
 good thus works in its most concrete form as
 God. God governs the world in actual work-
 ing of His government, the carrying out of His
 plan is the history of the world. This plan phi-
 losophy tries to comprehend so well that
 which has been developed as the result of re-
 possession of the real. That which does not
 accord with a negative writhes in existence.
 Before the pure light of this divine idea, which
 is no mere deal, the phenomena of the world
 whose events are an incoherent occurrence of
 futility as circumstances utterly vanishes. Phi-
 losophy wishes to discover the substantial pur-
 port, the real side of the divine idea, and to

which he has to carry in his flesh and the undying worm that gnaws him is the tormenting consideration that his excellent views and virtues remain absolutely without result in the world. But our satisfaction at the fate of theristism also may have its sinister side.

A world historical individual is not so unwise as to indulge a variety of wishes to divide his regards. He is devoted to the one aim regardless of all else. It is even possible that such men may treat other great even sacred interests inconsiderately conduct which is indeed obnoxious to moral reprehension. But so mighty a form must trample down many an

means is that of something external to the object and having no share in the object itself. But merely natural things—even the commonest lifeless objects—used as means must be of such a kind as adapts them to their purpose: they must possess something in common with it. Human beings least of all sustain the bare external relation of mere means to the great ideal aim. Not only do they in the very act of realizing it make it the occasion of satisfying personal desires whose purport is diverse from that aim—but they share in that ideal aim itself and are for that very reason

being
essence
ordinate to that of man and is properly used up as an instrument. Men on the contrary are objects of existence to themselves as regards the intrinsic import of the aim in question. To this order belongs that in them which we would exclude from the category of mere means—morality ethics religion. That is to say man is an object of existence in himself only in virtue of the divine that is in him—that which was designated at the outset as *reason* which in view of its activity and power of self-determination was called *freedom*. And we affirm without entering at present on the proof of the assertion that religion morality etc. have their foundation and source in that principle and so are essentially elevated above all alien necessity and chance. And here we must remark that

development of a general principle for it is from the special

is implicated in opposition and combat and that is exposed to danger. It remains in the background untouched and uninjured. This may be called the *cunning of reason*—that it sets the passions to work for itself while that which develops its existence

For of value part is positive and real. The particular is for the most part of too trifling value as compared with the general in individuals are sacrificed and abandoned. The idea pays the penalty of determinate existence and of corruptibility not from itself but from the passions of individuals

the happiness given up to the empire of chance to which it belongs and that as a general rule individuals come under the category of means to an ulterior end—there is one aspect of human individuality which we should hesitate to regard in that subordinate light even in relation to the

religion
Even when speaking of the realization of the great ideal aim by means of individuals the *subjective* element in them—their interest and that of their cravings and impulses—their views and judgments though exhibited as the merely formal side of their existence—was spoken of as having an infinite right to be consulted. The first idea that presents itself in speaking of

our and sublime destiny of man—that he knows what is good and what is evil—that his destiny is his very ability to will either good or evil—in one word that he is the subject of moral imputation imputation not only of evil but of good and not only concerning this or that particular matter and all that happens *extra* but also the good and evil attaching to his individual freedom. The brute alone is simply innocent. It would however demand an extensive explanation as extensive as the analysis of moral freedom itself to preclude or obviate all the misunderstandings which the statement that what is called innocence imports the entire unconsciousness of evil—is wont to occasion.

In contemplating the fate which virtue morally even piety experience in history we must not fall into the litany of lamentations that the good and pious often or for the most part fare ill in the world while the evil-disposed and wicked prosper. The term *prosperity* is used in a vain

INTRODUCTION

ety of meanings—n bes, outwa d h no r and
the like. But in spe king of som thin which in
m fexistence that

fi d the r intere ts dec dedly thrust into the
backgr d. But by the term ideal we also
unde stand th deal of rea on of the good of
the true Poets as e g Schiller have painted
A w h t nre motion

tunate en ironm nt fo undi duals— as de-
manded of the grand sum of the w rld ext t

p on that des grat fic tion but ea o jus
is e liberty and eq pped with this title th d
mand in que tuo as unnes a lofty bearing and
eadily d pts a po t n t m rely f disc
t t but of pen re ita am t the ct le di
tuo f the w rld. To estimate ch a feeling
and su h ew right the demands inisted p-
and th ry d gm ti pin s s erted
must be xam ed. At o times m has in our
o n ha e su h gen ral prin ple and n t s
been d an ed, o with greate a ura ce If in
d ys gone by history se ms t p e ent itself as
truggle of pas s in u tim th u h dis-
play f pa si n t wa tin it exhib ts part
ly pred minance f th truggl f n t s
suming th th rity of principles partly that
f pa s on and interests e s tally bjects e
but d th mask f ch high sancts The
p tensions thus cont ded f r s l g t m te in
the name of that huch has been stat d the
humat m f raso pass rdingly for b-
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which he has to carry in his flesh and the undying worm that gnaws him is the tormenting consideration that his excellent views and vituperations remain absolutely without result in the world. But our satisfaction at the fate of the *theristism* also may have its sinister side.

A world historical individual is not so unwise as to indulge a variety of wishes to divide his regards. He is devoted to the one aim regardless of all else. It is even possible that such men may treat other great even sacred interests inconsiderately, conduct which is indeed obnoxious to moral reprehension. But so mighty a form must trample down many a

means is that of something external to the object and having no share in the object itself. But merely natural things—even the commonest lifeless objects—used as means must be of such a kind as adapts them to their purpose; they must possess something in common with it. No man beings least of all sustain the bare external relation of mere means to the great ideal aim. Not only do they in the very act of realizing it make it the occasion of satisfying personal desires whose purport is diverse from that aim—but they share in that ideal aim itself and are for that very reason objects of their own existence not *formally* merely as the world of living beings generally is—whose individual life is essentially subordinate to that of man and is properly used up as an instrument. Men on the contrary are objects of existence to themselves as regards the intrinsic import of the aim in question. To this order belongs that in them which we would exclude from the category of mere means—morality, ethics, religion. That is to say, man is an object of existence in himself only in virtue of the divine that is in him—that which was designated at the outset as *reason* which in view of its activity and power of self-determination was called *freedom*. And we affirm without entering at present on the proof of the assertion that religion, morality, etc. have their foundation and source in that principle and so are essentially elevated above all alien necessity and chance. And here we must remark that individuals to the extent of their freedom are responsible for the deprivation and enfeeblement of morals and religion. This is the seal of the absolute and sublime destiny of man—that he knows what is good and what is evil, that his destiny is his very ability to will either good or evil—in one word, that he is the subject of moral imputation, imputation not only of evil but of good and not only concerning this or that particular matter and all that happens *extra* but also the good and evil attaching to his individual freedom. The brute alone is simply innocent. It would however demand an extensive explanation as extensive as the analysis of moral freedom itself to preclude or obviate all the misunderstandings which the statement that what is called innocence imports the entire unconsciousness of evil—is wont to occasion.

In contemplating the fate which virtue, morality, even piety experience in history we must not fall into the litany of lamentations that the good and pious often or for the most part fare ill in the world while the evil disposed and wicked prosper. The term *prosperity* is used in a vain

development of a general principle for it is from the special and determinate and from results. Partic some loss is in general idea that implicated in opposition and combat and that is exposed to danger. It remains in the background untouched and uninjured. This may be called the *cunning of reason*—that it sets the passions to work for itself while that which develops its existence through such impulsion pays the penalty.

For the most part of too trifling value as compared with the general, individuals are sacrificed and abandoned. The idea pays the penalty of determinate existence and of corruptibility not from itself but from the passions of individuals.

But though we might tolerate the idea that in individuals their desires and the gratification of them are thus sacrificed and their happiness given up to the empire of chance to which it belongs and that as a general rule individuals come under the category of means to an ulterior end—there is one aspect of human individuality which we should hesitate to regard in that subordinate light even in relation to the highest since it is absolutely no subordinate element but exists in those individuals as inherently eternal and divine. I mean *morality, ethics, religion*. Even when speaking of the realization of the great ideal aim

of their eternal judgments though exhibited as the merely for mal side of their existence—was spoken of as having an infinite right to be consulted. The first idea that presents itself in speaking of

have an infinite existence and no one could say when they came. The law of morality are not accidental but are the essentially rational. It is the very object of the state that what is essential in the practical activity of men, and in their dispositions should be duly recognized and maintained.

spiritual reality he possesses only through the state. For his spiritual reality consists in this that his own essence—reason—is objectively present to him that it possesses objects of immediate existence for him. Thus only is he fully conscious thus only is he partake of morality of just and moral social and political life. For truth is the unity of the universal laws by which will and the universal is to be found in the state is the laws of universal and rational arrangements. The state is the divine idea that exists on earth. We have in it therefore the object of history in its end—happening than before that in which freedom becomes objectively lived in the enjoyment of this objectivity. For law is the objectivity of principle—action in its true form. Only that will which obeys law is free for itself—it is independent and free. When the state of our country constitutes the community of existence when the subject will of man submits to laws—the contradiction between liberty and necessity arises. The rational has necessary existence as being the reality and substance of things and will free in recognizing it as law itself. Following that as the substance of our being. The object of the subject will is then recognized and presents one identical homogeneity. We believe that the reality of the state is not that the individual kind in which is shown on the ground bears away this latter rather than peculiar to the modern time while the true and genuine reality is based on the principle of

is duty—a substantial right—a second nature as it has been justly called for the first nature of man is his primary merely animal existence.

The development in *extenso* of the idea of the state belongs to the philosophy of jurisprudence but it must be observed that in the theories of our time various errors are current respecting it which pass for established truths and have become fixed prejudices. We will mention only a few of them giving prominence to such as have a reference to the object of our history.

The error which first meets us is the direct contradictory of our principle that the state properly is the realization of freedom the opposite—that man is free by nature but that in society in the state to which nevertheless he is irresistibly impelled he must limit this natural freedom. That man is free by nature is quite correct in one sense—that he is so according to the idea of humanity but we imply thereby that he is such only in virtue of his destiny—

in which mankind at large are in the possession of their natural rights with the unconstrained exercise and enjoyment of their freedom. Thus as a principle is contradicted the dignity of the historical fact it would indeed be difficult were the attempt seriously made to point out any such contradiction as actually existing or as having ever occurred. Examples of a savage state of life can be pointed out but they are marked by brutal passions and deeds of violence while however rude and implacable conditions they involve social arrangements which (use the common phrase) rest as if on a foundation. That as a principle is of those which are images which theory produces a idea which it cannot be of originating but which has its roots upon actual existence without sufficient historical justification.

What we find such a state of nature to be in actual experience answers exactly to the idea of a merely natural condition. Freedom as the ideal of that which is original and natural does not exist as original and natural. Rather must it be first sought out and won and that by an incalculable medial discipline of the intellectual and moral powers. The state of nature is the effect

justify the so much despised reality of things for reason is the comprehension of the divine work. But as to what concerns the perversion corruption and ruin of religious ethical and moral purposes and states of society generally it must be affirmed that in their *essence* these are infinite and eternal but that the forms they assume may be of a limited order and consequently belong to the domain of mere nature and be subject to the sway of chance. They are therefore noble and—

peculiarity of being present in the individual soul in the full extent of their idea and therefore truly and really although they may not manifest themselves in it *in extenso* and are not applied to fully developed relations. The religion the morality of a limited sphere of life—that of a shepherd or a peasant *e.g.*—in its intensive concentration and limitation to a few perfectly simple relations of life has infinite worth the same worth as the religion and morality of extensive knowledge and of an existence rich in the compass of its relations and actions. This inner focus—this simple region of the claims of subjective freedom the home of volition resolution and action the abstract sphere of conscience—that which comprises the responsibility and moral value of the individual remains untouched and is quite shut out from the noisy din of the world's history—including not merely external and temporal changes but also those entailed by the absolute necessity inseparable from the realization of the idea of freedom itself. But as a general truth this must be regarded as settled that whatever in the world possesses claims as noble and glorious has nevertheless a higher existence above it. The claim of the world spirit rises above all special claims.

These observations may suffice in reference to the means which the world spirit uses for realizing its idea. Stated simply and abstractly this mediation involves the activity of personal existences in whom reason is present as their absolute substantial being but a basis in the first instance still obscure and unknown to them. But the subject becomes more complicated and difficult when we regard individuals not merely in their aspect of activity but more concretely in conjunction with a particular manifestation of that activity in their religion and morality—forms of existence which are intimately connected with reason and share in its absolute claims. Here the relation of mere means to an end disappears and the chief bearings of this

seeming difficulty in reference to the absolute aim of spirit have been briefly considered.

(3) The third point to be analysed is therefore—what is the object to be realized by these means *i.e.* what is the form it assumes in the realm of reality. We have spoken of *means* but in the carrying out of a subjective limited aim we have also to take into consideration the element of a *material* either already present or which has to be procured. Thus the question would arise: What is the material in which the ideal of reason is wrought out? The primary answer would be—personality itself—human desires—subjectivity generally. In human knowledge and volition as its material element reason attains positive existence. We have considered subjective volition where it has an object which is the truth and essence of a reality *i.e.* where it constitutes a great world historical passion. As a subjective will occupied with limited passions it is dependent and can gratify its desires only within the limits of this dependence. But the subjective will has also a substantial life—a reality—in which it moves in the region of *essential* being and has the essential itself as the object of its existence. This essential being is the union of the *subjective* with the *rational* will it is the moral whole the *state* which is that form of reality in which the individual has and enjoys his freedom but on the condition of his recognizing believing in and willing that which is common to the whole. And this must not be understood as if the subjective will of the social unit attained its gratification and enjoyment through that common will as if this were a means provided for its benefit as if the individual in his relations to other individuals thus limited his freedom in order that this universal limitation—the mutual constraint of all—might secure a small space of liberty for each. Rather we affirm are law morality government and they alone the positive reality and completion of freedom. Freedom of a low and limited order is mere caprice which finds its exercise in the sphere of particular and limited desires.

Subjective volition—passion—is that which sets men in activity that which effects practical realization. The idea is the inner spring of action the state is the actually existing realized moral life. For it is the unity of the universal essential will with that of the individual and this is morality. The individual living in this unity has a moral life possesses a value that consists in this substantiality alone. Sophocles in his *Intigone* says: The divine commands are not of yesterday nor of to day no they

garded. The natural inference from this principle is that no law can be valid without the approval of all. This difficulty is attempted to be bridged by the decision that the minority must yield to the majority; the majority therefore bears the sway. But long ago J. J. Rousseau remarked that in that case the few would be no longer free, for the will of the minority would cease to be respected. At the Polish Diet each English member had to give his consent before any political step could be taken and this kind of freedom was that which ruined the state. Besides it is a dangerous and false prejudice that the people alone have reason and insight and know what justice is for each popular faction.

without it—and indeed this seems only a compulsory limit to an external to and external contracting freedom in the abstract—the constitution should be at least so framed that the citizens may obey as little as possible and the smallest modicum of free volition be left to them. — Hence the will of many or of all the citizens though it is supposed to be thereby provided that the state should be possessed of vigor and strength as a result—an individuality.

The primary consideration is then the distinction between the governing and the governed and the political constitutions in the abstract have been rightly divided into monarchy, aristocracy and democracy which gives occasion to have the remark that man himself must be further divided into despotism and monarchy proper that in all the divisions which the leading ideas give rise to the generic character is to be made prominent—at least in the various parts.

body politic has to organize their sanction has to properly speaking no constitution. The only arrangement that would be necessary would be first a centre having no will of its own but which should take into consideration what appeared to be the necessities of the state. Secondly, the convenience of calling the members of the state together for taking the

citizens but it is an individuality and to imply general existence must embody itself in individual will and activity. The want of government and political administration in general is felt thus necessitates the selection and separation for the establishment of the law that take the law in political affairs to decide concerning them and to give orders to other citizens with which the execution of the plans. If even the people in democracy resolve a war general must head the army. It is only by a constitution that the best of the state—attains life and activity but this in itself is the distinction between those who command and those who obey. Yet both seems inconsistent with liberty and those who command appear to do the very opposite of that which the fundamental idea of the state—that of freedom requires. It is however urged that—though the distinction between commanding and obeying is essentially necessary because affairs could not go

well as but also such as the mixtures of several of these essentially distinct classes and which consequently misshapen unstable and inconsistent forms. It is however on the

most important question is what the best constitution that is by what arrangement organization or mechanism of the power of the state is object to be most surely attained. This object may indeed be variously understood for instance as the aim of the life on the part of the citizens or as universal happiness or as the maintenance and, as a particular branch of the subject deals of the duration of the prince (Fellowship) of the governing body—the aristocracy (Plato) of the chief point they try at is the constitution of those subjects who take the head of affairs and in these ideals the chief details of political organization are not at all concerned. The inquiry into the best constitution is frequently treated as if not only the theory were an affair of subject and dependent constitution but as if the introduction of a constitution recognized as the best—so as superior to others—could be the result of the

predominantly that of injustice and violence of untamed natural impulses of inhuman deeds and feelings. Limitation is certainly produced by society and the state but it is a limitation of the mere brute emotions and rude instincts as also in a more advanced stage of culture of the premeditated self will of caprice and passion. This kind of constraint is part of the instrumentality by which only the consciousness of freedom and the desire for its attainment in its true—that is rational and ideal form—can be obtained. To the ideal of freedom law and morality are indispensably requisite and they are in and for themselves universal existences objects and aims which are discovered only by the activity of thought separating itself from the merely sensuous and developing itself in opposition thereto and which must

sequently their legal position towards each other with the rest of their particular interests and desires) as in the case of the parents or have not yet attained such an independent personality—(the children who are primarily in the merely natural condition already mentioned). They live therefore in a unity of feeling love confidence and faith in each other. And in a relation of natural love the one individual has the consciousness of himself in the consciousness of the other he lives out of self and in this mutual self renunciation each regains the life that had been virtually transferred to the other gains in fact that other's existence and his own as involved with that other. The farther interests connected with the necessities and external concerns of life as well as the development that has to take place within their circle etc. of the children constitute a common object for the members of the family. The spirit of the family—the Penates—form one substantial being as much as the spirit of a people in the state and morality in both cases consists in a feeling a consciousness and a will not limited to individual personality and interest but embracing the common interests of the members generally. But this unity is in the case of the family essentially one of *feeling* not advancing beyond the limits of the merely *natural*. The piety of the family relation should be respected in the highest degree by the state by its means the state obtains as its members individuals who are already moral (for as mere *persons* they are not) and who in uniting to form a state bring with them that sound basis of a political edifice—the capacity of feeling one with a whole. But the expansion of the family to a patriarchal unity carries us beyond the ties of blood relationship—the simply natural elements of that basis and outside of these limits the members of the community must enter upon the position of independent personality. A review of the patriarchal condition *in extenso* would lead us to give special attention to the theocratical constitution. The head of the patriarchal clan is also its priest. If the family in its general relations is not yet separated from civic society and the state the separation of religion from it has also not yet taken place and so much the less since the piety of the hearth is itself a profoundly subjective state of feeling.

We have considered two aspects of freedom the objective and the subjective. If therefore freedom is ascribed to consist in the individuals of a state all agreeing in its arrangements it is evident that only the subjective aspect is re-

son of freedom consists in regarding that term only in its *formal* subjective sense abstracted from its essential objects and aims thus a constraint put upon impulse desire passion—pertaining to the particular individual as such—a limitation of caprice and self will is regarded as a fettering of freedom. We should on the contrary look upon such limitation as the indispensable proviso of emancipation. Society and the state are the very conditions in which freedom is realized.

We must notice a second view contravening the principle of the development of moral relations into a legal form. The patriarchal condition is regarded—either in reference to the entire race of man or to some branches of it—as exclusively that condition of things in which the legal element is combined with a due recognition of the moral and emotional parts of our nature and in which justice as united with these truly

of the social condition is the *primary* morality succeeded by that of the state as its *second* phase. The patriarchal condition is one of transition in which the family has already advanced to the position of a race or people where the union therefore has already ceased to be simply a bond of love and confidence and has become one of pledged service. We must first examine the ethical principle of the family. The family may be reckoned as virtually a single person since its members have either mutually surrendered their individual personality (and con-

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the comparison therefore of the political institu-
tions of the ancient world historical peoples
it so happens that for the most recent principle
of constitution—for the principle of our own
times—nothing (so to speak) can be learned. I
science and it is quite otherwise e.g. the
ancient philosophy is so decidedly the basis of
the modern that it is manifestly contained in the
latter and constitutes its basis. In this case the
basis is that of a continuous development of
the same structure whose fundamental stone-
walls of old have remained what they were

indivuality—the will—a dogma which we have already in-
vestigated. The great point is that freedom in its
ideal conception has not subjected the will and
caprice for its principle but the recognition of
the universal will and that the process by
which freedom is realized is the free develop-
ment of its successive stages. The subjective
will is a merely formal determination—a *caric*

phases as organic members. Of this cathedral architecture the ancients knew nothing

At an earlier stage of the discussion we estab-
lished the two elemental considerations first
the idea of freedom as the absolute and final
aim secondly the means for realizing it i.e.
the subjective side of knowledge and will with
its life movement and activity. We then recog-
nized that as the moral whole and the real-
ity of freedom developed consequently as the objec-
tive unity of these two elements. For although
we make the distinction into two aspects for
our consideration it must be remarked that they
are intimately connected and that the reason

dogma respecting the government—importing
that intelligent and right ought to bear sway
—are indeed common to both. But nothing is
so burdensome to look to Greek Romans or
Oriental for models for the political arrange-
ments of our time. From the East may be de-
rived beautiful pictures of a patriarchal condi-
tion of paternal government and of devotion
to the part of peoples from Greeks and
Roma descriptions of popular liberty. Among
the latter we find the idea of free constitution
denied all the means to have in delibera-
tion and resolves respecting the affairs and
law of the commonwealth. In our times too
this is the general reputation only with this
modification that—since our states are so large
and there so many of them many of the
direct action being impossible should by the
indirect method of lectures and instruction express
the current theories affecting the
commonwealth that is that for legislative pur-
poses generally the people should be represented
by deputies. The so-called representative con-
stitution that form of government with which
we connect the idea of a free constitution and
the notion has become rooted principle. On
this theory people and government are sepa-

self-love as its object involving at the same
time the pure and simple idea of reason and
likewise that which we have called subject-
self-consciousness—spirit actually existing in
the world. If on the other hand we consider
subjectivity we find that subjective knowledge
and will is thought. But by the very act of
thoughtful cognition and intuition I will the uni-
versal object—the substance of absolute reason.
We observe therefore an essential union be-
tween the objective side—the idea—and the
subjective side—the personality that conceives
and wills it. The objective existence of this
union is the state which is the effort for the basis
and end of the other concrete elements of the
life of a people—of right of law of moral of
life of science. All the activity of spirit has
only this object—the becoming conscious of
this union of itself its own freedom. Among the
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adopted in this theoretical manner as if the form of a constitution were a matter of free choice determined by nothing else but reflection. Of this artless fashion was that deliberation—not indeed of the Persian people but of the Persian *grandees* who had conspired to overthrow the pseudo Smerdis and the Magi after their undertaking had succeeded and when there was no scion of the royal family living—as to what constitution they should introduce into Persia and Herodotus gives an equally naive account of this deliberation.

In the present day the constitution of a country and people is not represented as so entirely dependent on free and deliberate choice. The fundamental but abstractly (and therefore imperfectly) entertained conception of freedom has resulted in the republic being very generally regarded—in theory—as the only just and true political constitution. Many even who occupy elevated official positions under monarchical constitutions so far from being opposed to this idea are actually its supporters only they see that such a constitution though the best cannot be realized under all circumstances and that while men are what they are we must be satisfied with less freedom. The monarchical constitution—under the given circumstances and the present moral condition of the people—being even regarded as the most advantageous. In this view also the necessity of a particular constitution is made to depend on the condition of the people in such a way as if the latter were non essential and accidental. This representation is founded on the distinction which the reflective understanding makes between an idea and the corresponding reality holding to an abstract and consequently untrue idea not grasping it in its completeness or—which is virtually though not in point of form the same—not taking a concrete view of a people and a state. We shall have to show further on that the constitution adopted by a people makes one substance—one spirit—with its religion its art and philosophy or at least with its conceptions and thoughts—its culture generally not to expatiate upon the additional influences *ob extra* of climate of neighbors of its place in the world. A state is an individual totality of which you cannot select any particular side although a supremely important one

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unwilling—with its place preappointed in the process a fact which gives the highest sanction to the constitution in question and establishes its absolute necessity. The origin of a state involves imperious lordship on the one hand instinctive submission on the other. But even obedience—lordly power and the fear inspired by a ruler—in itself implies some degree of voluntary connection. Even in barbarous states this is the case it is not the isolated will of individuals that prevails individual pretensions are relinquished and the general will is the essential bond of political union. This unity of the general and the particular

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power whether of patriarchal or military origin. In the next phase particularity and individuality assert themselves in the form of aristocracy and democracy. Lastly we have the subjection of these separate interests to a single power but which can be absolutely none other than one outside of which those spheres have

This process is necessitated so that the form of government assigned to a particular stage of development must present itself it is therefore no matter of choice but is that form which is adapted to the spirit of the people.

In a constitution the main feature of interest is the self development of the rational that is the political condition of a people the setting free of the successive elements of the idea so that the several powers in the state manifest themselves as separate attributes and special conditions are held

as one organic whole. The state is thus the embodiment of rational freedom realizing and recognizing it itself in an objective form. For its objectivity consists in this—that its successive stages are not merely ideal but are present in an appropriate reality and that in their separate and several working they are absolutely merged in that agency by which the totality—the soul the individuality unity—is produced and of which it is the result.

The state is the idea of spirit in the external manifestation of human will and its freedom. It

is to the state the effort that has been in the as-
pect of history and solubly attests itself and
the success. The phases of the idea manifest them-

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the highest position. In it spirit—rising above the limitations of temporal and secular exist—

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individual feelings. The religious concentration of the soul appears in the form of feeling; it nevertheless passes also into reflection. A form of worship (*cultus*) is a result of reflection. The second form of the union of the objective and subjective in the human spirit is *art*. This advances farther into the realm of the actual and sensuous than religion. In its noblest walk it is occupied with representing not indeed the spirit of God but certainly the form of God; and in its secondary aims that which is divine and spiritual generally. Its office is to render visible the divine, presenting it to the imaginative and intuitive faculty. But the true is the object not only of conception and feeling as in religion—and of intuition as in art—but also of the thinking faculty, and this gives us the third form of the union in question—*philosophy*. This is consequently the highest freest and wisest phase. Of course we are not intending to investigate these three phases here; they have only suggested themselves in virtue of their occupying the same general ground as the object here considered—the *state*.

The general principle which manifests it elf and becomes an object of consciousness in the state, the form under which all that the state includes is brought, is the whole of that cycle of phenomena which constitutes the *culture* of a nation. But the definite *substance* that receives the form of universality and exists in that concrete reality which is the state—is the spirit of the people it elf. The actual state is animated by this spirit in all its particular affairs—its wars, institutions, etc. But man must also attain a conscious realization of this his spirit and essential nature, and of his original identity with it. For we said that morality is the identity of the *subjective* or *personal* with the *universal* will. Now the mind must give itself an express consciousness of this, and the focus of this knowledge is *religion*. Art and science are only various aspects and forms of the same substantial being. In considering religion the chief point of inquiry is whether it recognizes the true—the idea—only in its separate abstract form, or in its true unity, in *separation*—God

being represented in an abstract form as the Highest Being, Lord of heaven and earth, living in a remote region far from human actualities—or in its *unity*—God as unity of the universal and individual, the individual itself assuming the aspect of positive and real existence in the idea of the incarnation. Religion is the sphere in which a nation gives itself the definition of that which it regards as the true. A definition contains everything that belongs to the essence of an object, reducing its nature to its simple characteristic predicate as a mirror for every predicate—the generic soul pervading all its detail. The conception of God therefore constitutes the general basis of a people's character.

In this aspect religion stands in the closest connection with the political principle. Freedom can exist only where individuality is recognized as having its positive and real existence in the Divine Being. The connection may be further explained thus—secular existence as merely temporal—occupied with particular interests—is consequently only relative and unauthorized and receives its validity only in so far as the universal soul that pervades it—its principle—receives absolute validity, which it cannot have unless it is recognized as the definite manifestation, the phenomenal existence of the Divine Essence. On this account it is that the state rests on religion. We hear this often repeated in our times, though for the most part nothing further is meant than that individual subjects as God-fearing men would be more disposed and ready to perform their duty, since obedience to king and law so naturally follows in the train of reverence for God. This reverence, indeed, once it exalts the general over the special, may even turn upon the latter, become fanatical and work with incendiary and destructive violence against the state, its institutions and arrangements. Religious feeling, therefore, it is thought, should be sober, kept in a certain degree of coolness, that it may not storm against and bear down that which should be defended and preserved by it. The possibility of such a catastrophe is at least latent in it.

While however the correct sentiment is adopted that the state is based on religion, the position thus assigned to religion supposes the state already to exist, and that subsequently in order to maintain it, religion must be brought into it—in buckets and bushels as it were—and impressed upon people's hearts. It is quite true that men must be trained to religion, but not as to something whose existence has yet to begin. For in affirming that the state is based on re-

Enon—that has its roots in it—we actually assert that the former has proceeded from the latter and that this derivation is going on now and will always continue. The principles of the state must be regarded as valid in and for themselves, which can only be in so far as they are recognized as determining manifestations of the Divine Nature. The form of religion, therefore, denotes that of the state and its constitution. The latter continually manifested in the particular religion derived by the nation so that, in fact, the Athenian or the Roman state was possible only in connection with the special form of heathenism existing among the respective peoples just as Catholic state has a spirit and constitution different from that of Protestantism.

If that error—that wrong and sin—the foil the implication of sin in the community—were an eternal fact and a call for help, it often seems to be expressing the danger of religion having vanished, or being about to vanish merely from the state—that would be fearful indeed—worse in fact, than this error proposes for it implies the belief in a resource against the evil, in the temptation and in the cure of religion whereas religion is by no means tending to be so produced as is if profane (and there can be no other) less much deeper.

Another and opposite fallacy which we meet with in our time is that of pretending to resist and carry out political constitution independent of religion. The Catholic confession, although using the Christian name with the Protestant, does not concede to the state an inherent just and moral right—a concession which in the Protestant principle is fundamental. This tearing way of the political morals of the times or on from its natural connection, is necessary to the genius of that religion inasmuch as it does not recognize just and moral law as independent and external. But this excluded form of religion works in a way from their list to the supernatural consciousness. The latter returns where religion has its abode—its principles and institutions of political legislation are derived from its real centre to the same degree as they are impeded to remain distinct and independent.

Summing up what has been said of the error and that we have been led to call a vital principle as eternal, the latter does not compare with the state its laws, its arrangements, constitute the rights of its members as natural for them, its moral laws and its

re their country, their fatherland, their outward help over the history of this state their deeds what their ancestors have produced, belongs to them and lies in their memory. All is their possession, just as they are possessed by it for it constitutes their existence, their being.

Their imagination is occupied with the ideas thus presented while the adoption of these laws and of fatherland so connected to the expression of their will. It is this matured totality which thus constitutes one being the spirit of one people. To the individual members belong each one is the son of his nation, and at the same time in a far as the state to which he belongs is undergoing development the son of his age. None remains behind it, still less advances beyond it. This spiritual being (the spirit of his time) is his representative spirit, is that in which he originated, and in which he lives. Among the Athenians, the word *Athena* had a double import, denoting primarily a complex of political institutions but not less, in the second place, that goddess who represented the spirit of the people and its unity.

This spirit of a people is a *determinate* and particular spirit, and is as just stated, further moulded by the degree of its historical development. This spirit, then, constitutes the basis and substance of those higher forms of a nation's consciousness which have been noticed. For spirit in its self-consciousness must become an object of contemplation to itself and objectivity involve in the first instance the rise of differences which build up total distinct spheres of objectivity spirit in the same way as the soul exists only as the complex of its faculties which in their form of concentration in a simple unity produce that soul. It is thus one *divine* unity which, presented in its essence as God, is honored and enjoyed in *glory* which is exhibited as an object of conscious contemplation and is represented as an intellectual conception in philosophy. In virtue of the original identity of their essence, purpose, and object, these various forms are inseparably united with the spirit of the state. Only in connection with this particular religion, can this particular political constitution exist just as in such such a state such such a philosophy or order of life.

The remark next in order is that each particular national genius is to be treated as only one individual in the process of universal history. For this history is the exhibition of the divine about the development of spirit in its highest forms—the gradation by which it at

the highest position In it spirit—rising above the limitations of temporal and secular existence—becomes conscious of the absolute spirit and in this consciousness of the self-existent Being renounces its individual interest it lays this aside in devotion—a state of mind in which it refuses to occupy itself any longer with the limited and particular By sacrifice m

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is expansion, therefore does not present the business tranquillity of mere growth, as does that of organic life, but a stern reluctant working against itself. It exhibits in recovery not the mere formal conception of development, but the movement of definite result. The goal of the movement we discerned at the outset: it is

the essential na-

ture, and importance (as in the Roman history Rome is the object—consequently that which directs our consideration of the facts related) as conversely the phenomena of the process have resulted from this principle, also and only as referred to it, possess a sense of value. There are many considerable periods in history in which this development seems to have been interrupted in which, we must rather say, with an enormous gain of previous culture appears to have been entirely lost after which, through new commencement has been necessarily made in the hope of recovering—by the assistance of some remains saved from the wreck of former civilization, and by dint of renewed incalculable expenditure of strength and time—on the ruins which had been an ancient possession of that civilization. We behold how several processes of growth structures and systems of culture in particular epochs, rich in kind, and well developed in every direction. The merely formal and indeterminate new development in general can neither assist one form of expansion superiority over the other, nor render comprehensible the object of the decisions of later periods of growth, but must regard the occurrence of it speak more particularly the retrogressive development—as external circumstances and can only determine partial modes of development from indeterminate points of view which—due to development as such is all in all—are relative and of various goals of human.

Universal history exhibits the gradual growth in development of that principle whose substantial property is the consciousness of freedom. The analysis of the successive grades in their historical form belongs to logic in their concrete aspect the philosophy of man. Here it is sufficient to state the first step in the process: progress was immured on itself in the way which has been already referred to. The second shows it as directed to the consciousness of its freedom. But the initial separation from nature is imperfect and partial, the latter is derived

immediately from the merely natural state is consequently related to it, and is still encumbered with it as an essentially connected element. The third step is the liberation of the soul from this still limited and special form of freedom to its pure universal form that state in which the spiritual essence attains the consciousness and feeling of itself. These grades are the ground-principles of the general process, but how each of them to the other hand involves within itself processes of formation, constituting the links in dialectic of transition to particularize this must be reserved for the sequel.

Here we have only to indicate that spirit begins with germ of infinite possibility but only possibility—contains its substantial existence in an undeveloped form, as the object and goal which it reaches only in its resultant—full actuality. In actual existence progress appears as an advancing from the imperfect to the more perfect but the former must not be understood absolutely as every the imperfect, but as something which in itself is every opposite itself—the so-called perfect—as a germ or impulse. So-reactively at least—possibility points to something destined to become actual the Aristotelian *δύναμις* is also *potentia* power and

the instinctive movement, the inherent impulse in the life of the soul, to break through the mind of mere nature consciousness and that which is alien to it, to attain the light of consciousness to itself.

We have already made the remark how the commencement of the history of spirit must be considered so as to be in harmony with its destination bearing on the regeneration that has been made of primitive natural condition, in which freedom and justice are supposed to exist, or to have existed. This was however nothing more than an assumption of historical existence, on lived in the twilight of the origin of the action. A pretension of quiet another derivation more inference of reasoning but making the claim of historical fact and that supernaturally confirmed—is put forth in connection with a doctrine which is now widely promulgated by a certain class of speculativeists. This new takes up the ideas of the primitive patriarchal condition of man, which had been previously expanded by the theologians after their fashion—involving the supposition that God spoke with Adam in Hebrew—but re-modelled to suit other requirements. The high

tains its truth and consciousness of itself. The forms which these grades of progress assume are the characteristic national spirits of history: the peculiar tenor of their moral life of their government, their art, religion, and science. To realize these grades is the boundless impulse of the world spirit—the goal of its irresistible urging for this division into organic members and the full development of each is its idea. Universal history is exclusively occupied with showing how spirit comes to a recognition and adoption of the truth: the dawn of knowledge appears; it begins to discover salient principles; and at last it arrives at full consciousness.

Having therefore learned the abstract characteristics of the nature of spirit, the means which it uses to realize its idea, and the shape assumed by it in its complete realization in phenomenal existence—namely the state—nothing further remains for this introductory section to contemplate but

III *The course of the world's history.* The mutations which history presents have been long characterized in the general as an advance to something better, more perfect. The changes that take place in nature—how infinitely manifold soever they may be—exhibit only a perpetually self-repeating cycle: in nature there happens nothing new under the sun, and the multifarious play of its phenomena so far induces a feeling of *ennui*; only in those changes which take place in the region of spirit does anything new arise. This peculiarity in the world of mind has indicated in the case of man an altogether different destiny from that of merely natural objects—in which we find always one and the same stable character to which all change reverts—namely a *real* capacity for change and that for the better an impulse of *perfectibility*. This principle which reduces change itself under a law, has met with an unfavorable reception from religions—such as the Catholic—and from

es in question, the improved, more perfect state of things towards which it professedly tends is also either undetermined.

The principle of *development* involves also the existence of a latent germ of being—a capacity or potentiality striving to realize itself. This formal conception finds actual existence in spirit, which has the history of the world for its theatre, its possession, and the sphere of its realization. It is not of such a nature as to be tossed to and fro amid the superficial play of accidents, but is rather the absolute arbiter of things, entirely unmoved by contingencies which indeed it applies and manages for its own purposes. Development, however, is also a property of organized natural objects. Their existence presents itself not as an exclusively dependent one, subjected to external changes, but as one which expands itself in virtue of an internal unchangeable principle, a simple essence—whose existence *se* as a germ is primarily simple—but which subsequently develops a variety of parts that become involved with other objects and consequently live through a continuous process of changes—a process nevertheless that results in the very contrary of change, and is even transformed into a *vis conservatrix* of the organic principle, and the form embodying it. Thus the organized *individuum* produces itself; it expands itself *actually* to what it was always *potentially*. So spirit is only that which it attains by its own efforts; it makes itself *actually* what it always was *potentially*. That development (of *natural organisms*) takes place in a direct unopposed unhindered manner. Between the idea and its realization, the essential constitution of the original germ and the conformity to it of the existence derived from it, no disturbing influence can intrude. But in relation to spirit it is quite otherwise. The realization of its idea is mediated by consciousness, and will these very faculties are in the first instance sunk in their primary *merely* natural life, the first object and goal of their striving is the realization of their merely natural destiny—but which, since it is spirit that animates it, is possessed of vast attractions and displays great power and richness. Thus spirit is at war with itself; it has to overcome itself as its most formidable obstacle. That development which in the sphere of nature is a peaceful growth, is in that of spirit a severe, a mighty conflict with itself. What spirit really strives for is the realization of its ideal being; but in doing so, it hides that goal from its own vision, and is proud and well satisfied in this alienation from it.

ories and institutions to accidents or imprudence—but principally to the levity and evil

has no standard by which to estimate the change

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cordi g to the categories of *reason*—though at the same time recognizing that understanding and its true value and position. It must be observed that in this very process of centring and standing it is of importance that the essential hold be distinguished and brought into relief in contrast with the so-called non-essential. But in order to render this possible we must know what is *essence* and that is—in view of the history of the world in general—the consciousness of freedom and the phases which this consciousness assumes in developing itself. The bearing of historical facts on this category is their bearing on the truly essential. Of the difficulties stated and the opposition exhibited to comprehensive conceptions in science part must be referred to the inability to grasp a deep standard idea. In nature history some monstrous hybrid growth is alleged as an objection to the recognition of clear and indubitable classes or species. A sufficient reply is furnished by a sentence lately vaguely urged that the exception

tory presents in detail, that common class is its principal may be detected. That such a

tionally produced intellectual process is not only a disciplined faculty of abstraction but intimate acquaintance with the idea. The investigator must be familiar *a priori* (if we like to call it so) with the whole class of conceptions to which the principles in question belong—just as Kepler (to name the most illustrious example in this mode of philosophizing) must have been familiar *a priori* with ellipses with celestial squares and with ideas of their

latent before he could derive from the empirical data these mathematical laws of his which render both the form of thought pertaining to the classes of conceptions. He who is unfamiliar with the circle that embraces these biological concepts is a little capable though he may have gazed on the firmament and the motions of the celestial bodies for a lifetime of understanding those laws as of *divine* origin. From this we may acquire

with the idea that elate to the development of freed intellect part of those objections which are brought against the philosophical understanding of consciousness usually regarded as *a priori* experience the so-called *priori* method of the attempt to inductively deduce the empirical data of history being the chief point in the indictment. Where thus difficulties confront the conceptions appear alien—unfamiliar lying within the bounds of investigation. The minds whose training has been narrowly and exclusively directed to an acquaintance with humanity thus they see something strange—unfamiliar in the method and concepts of the subject which their limited intellect forms. Hence the statement that philosophy does not understand humanity. It must indeed be with this that kind of understanding which the prevailing opinion of the main of those sciences that it does not proceed according to the categories of understanding but ac-

keep its general and peculiar pure when conflicting with alien elementary influence. If we are considering the human organization in its concrete aspect we assert that brain, heart, and so forth are essential to its organic life—some may

less brain and heart is sufficient. If such an instance is quoted against the general conception of a human being—the object persisting in using the same coupled with a superficial idea respecting it—it can be proved that a real concrete human being is truly different object that a being must have a brain in its head and a heart in its breast.

A similar process of reasoning is adopted in reference to the correct assertion that genius, talent, moral virtues and sentiments and piety may be found in every individual and political

markable one going back to the most ancient times India has not only ancient books relating to religion and splendid poetical productions but also ancient codes the existence of which latter kind of literature has been mentioned as a condition necessary to the origination of history—and yet history itself is not found But in that country the impulse of organization in beginning to develop social distinctions was immediately petrified in the merely natural classification according to *castes* so that although the laws concern themselves with civil rights they make even these dependent on natural distinctions and are especially occupied with determining the relations (wrongs rather than rights) of those classes towards each other *sc* the privileges of the higher over the lower Consequently the element of morality is banished from the pomp of Indian life and from its political institutions Where that iron bondage of distinctions derived from nature prevails the connection of society is nothing but wild arbitrariness transient activity or rather the play of violent emotion without any goal of advancement or development Therefore no intelligent reminiscence no object for Mnemosyne presents itself and imagination—confused though profound—expatiates in a region which to be capable of history must have had an aim within the domain of reality and at the same time of substantial freedom

Since such are the conditions indispensable to a history it has happened that the growth of families to clans of clans to peoples and their local diffusion consequent upon this numerical increase—a series of facts which itself suggests so many instances of social complication war revolution and ruin a process which is so rich in interest and so comprehensive in extent has occurred without giving rise to history more over that the extension and organic growth of the empire of articulate sounds has itself remained voiceless and dumb—a stealthy unnoticed advance It is a fact revealed by philo-

region with great ingenuity and completeness For grammar in its extended and consistent form is the work of thought which makes its categories distinctly visible therein It is more

thereupon becomes poorer and ruder a singular

phenomenon—that the progress towards a more highly intellectual condition while expanding and cultivating rationality should disregard that intelligent amplitude and expressiveness—should find it an obstruction and contrive to do without it Speech is the act of theoretic intelligence in a special sense it is its *external* manifestation Exercises of memory and imagination without language are direct manifestations But this act of theoretic intelligence itself as also its subsequent development and the more concrete class of facts connected with it—the spreading of peoples over the earth their separation from each other their comminglings and wanderings—remain involved in the obscurity of a voiceless past They are not acts of will becoming self conscious—of freedom mirroring itself in a phenomenal form and creating for itself a proper reality Not partaking of the element of substantial veritable existence those nations notwithstanding the development of language among them never advanced to the possession of a *history* The rapid growth of language and the progress and dispersion of nations assume importance and interest for concrete reason only when they have come in contact with states or begin to form political constitutions themselves

After these remarks relating to the form of the commencement of the world's history and

ther definition of the subject in the concrete comes under the head of arrangement

Universal history as already demonstrated shows the development of the consciousness of freedom on the part of spirit and of the con- e

freedom which result from its idea The logical and as still more prominent the *dialectical* nature of the idea in general is that it is self determined—that it assumes successive forms which it successively transcend and by this very process of transcending its earlier stages gains an affirmative and in fact a richer and more concrete shape this necessity of its nature and the necessary series of pure abstract forms which the idea successively assumes is exhibited in the department of logic Here we need adopt only one of its results is that every step in the process as differing from any other has its determinate peculiar principle In history this principle is idiosyncrasy of spirit—peculiar national

according to the categories of *reason*—though at the same time recognizing that understanding its true value and position. It must be observed that in this very process of scientific understanding it is of importance that the essential should be distinguished and brought into relief in contrast with the so-called no-

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A similar process of rearing is adopted in France to the credit of the nation that genius, talent, moral virtues and sentiments as a deposit may be found in every under political

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adopts such merely formal points of view presents a vast field for ingenious questions—erudite views and striking comparisons—for profound seeming reflections and declamations which may be rendered so much the more brilliant in proportion as the subject they refer to is in definite and are susceptible of new and varied forms in inverse proportion to the importance of the results that can be gained from them and the certainty and rationality of their issues. Under such an aspect the well known Indian epopees may be compared with the Homeric perhaps since it is the vastness of the imagination by which poetical genius proves itself preferred to them—as on account of the similarity of single strokes of imagination in the attributes of the divinities it has been contended that Greek mythological forms may be recognized in those of India. Similarly the Chinese philosophy, as adopting the One as its basis, has been alleged to be the same as at a later period appeared as Eleatic philosophy and as the Spinozistic system while in virtue of its expressing itself also in abstract numbers and lines. Pythagorean and Christian principles have been supposed to be detected in it. Instances of bravery and indomitable courage traits of magnanimity of self denial and self sacrifice which are found among the most savage and the most pusillanimous nations are regarded as sufficient to support the view that in these nations as much of social virtue and morality may be found as in the most civilized Christian states or even more. And on this ground a doubt has been suggested whether in the progress of history and of general culture mankind have become better whether their morality has been increased—morality being regarded in a subjective aspect and view as founded on what the agent holds to be right and wrong good and evil not on a principle which is considered to be in and for itself right and good or a crime and evil or on a particular religion believed to be the true one.

We may fairly decline on this occasion the task of tracing the formalism and error of such a view and establishing the true principles of morality or rather of social virtue in opposition to false morality. For the history of the world occupies a higher ground than that on which morality has properly its position which is personal character the conscience of individuals their particular will and mode of action these have a value imputation reward or punishment proper to themselves. What the absolute aim of spirit requires and accomplishes what providence does transcends the obligations and the

liability to imputation and the ascription of good or bad motives which attach to individuality in virtue of its social relations. They who on moral grounds and consequently with noble intention have resisted that which the advance of the spiritual idea makes necessary stand higher in moral worth than those whose crimes have been turned into the means—under the direction of a superior principle—of realizing the purposes of that principle. But in such revolutions both parties generally stand within the limits of the same circle of transient and corruptible existence. Consequently it is only a formal rectitude deserted by the living Spirit and by God which those who stand upon ancient right and order maintain. The deed of great men who are the individuals of the world's history thus appear not only justified in view of that intrinsic result of which they were not conscious but also from the point of view occupied by the secular moralist. But looked at from this point moral claims that are irrelevant must not be brought into collision with world historical deeds and their accomplishment. The litany of private virtues—modesty humility philanthropy and forbearance—must not be raised against them. The history of the world might on principle entirely ignore the circle within which morality and the so much talked of distinction between the moral and the politic lies—not only in abstaining from judgments for the principles involved and the necessary reference of the deeds in question to those principles are a sufficient judgment of them—but in leaving individuals quite out of view and unmentioned. What it has to record is the activity of the spirit of peoples so that the individual forms which that spirit has assumed in the sphere of outward reality might be left to the delineation of special histories.

The same kind of formalism avails itself in its peculiar manner of the indefiniteness attaching to genius poetry and even philosophy thinks equally that it finds it everywhere. We have here products of reflective thought and it is familiarity with those general conceptions which single out and name real distinctions without fathoming the true depth of the matter that we call culture. It is something merely formal inasmuch as it aims at nothing more than the analysis of the subject whatever it be into its constituent parts and the comprehension of these in their logical definitions and forms. It is not the free universality of conception necessary for making an abstract principle the object of consciousness. Such a consciousness of thought itself and of its forms isolated from a particular

object, as philosophy. This has, indeed, the character of a culture that could

empirical datum whose format the human mind had shown.

But it is quite as much an act of thought of the understanding particularly embracing in the simple conception object which itself comprehends concrete and large significance (as earth man Alexander or Caesar) and the design to it by the world, as to the object on the duty to let in the conception.

what we include under the general terms genius talent or science—formal culture—every grade of intellectual development not only can

the necessity of formal culture—consequently of the rise of the sciences and of cultivated poetry and art generally. The arts designed past equate besides even in the technical aspect the civilized association of men. The poetical—which has less need of formal requisites—does mean and which has the immediate existence though as its material—steps forth with great boldness and immediately expresses on the other hand conclusions presented by people yet united in a political combination—as remarked by the ruling class on the particular ground of high intellectual development prior to the modern element for luxury.

Philosophy also must make its appearance in the political life in its in the virtue of which any series of phenomena is reduced within the sphere of culture, as above stated is the formal properly thought of thus philosophy has as its thing other than the consciousness of this form itself—the thinking of thinking—the material of which is edifice

and brings them down and attenuates them in the history of ideas generally—thought will be compelled to become thinking reason with the view of effecting in its own element the restoration of its principles from the ruin to which they had been brought.

We find that it is true among all world historical peoples poetry plastic art science even philosophy but not only is there a diversity in style and bearing generally but still more remarkably in subject matter and this is

their contents—and to maintain that it is the beautiful form—such the grandeur of the fancy and so forth which the art aims at and which must be considered and judged by a liberal taste and cultivated mind. A healthy intellect does not tolerate such abstractions and cannot assimilate productions of the kind above referred to. Granted that the Indian epopees might be placed on a level with the Homeric on a unit of number of those qualities of form—grandeur of imagination and imaginative power—likeness of images and emotions and beauty of diction—yet the infinite difference of matter remains—consequently one of substantial importance and in placing the test of reason which is immediately concerned with the consequences of the idea of freedom and its expressions in individuals. The is not only a classical form but classical order of subject matter and in a work of art form and subject matter are closely united that the forms can only be classed to the extent to which the latter is. With fantastical and terminative material—and what is the essence of reason—the form becomes measureless and formless or mean and contracted. In the same way that comparison of the various systems of philosophy of which we have already spoken the only point of import is over looked, namely the character of that unity which is found alike in the Chinese

adopts such merely formal points of view presents a vast field for ingenious questions erudite views and striking comparisons for profound seeming reflections and declamations which may be rendered so much the more brilliant in proportion as the subject they refer to is in definite and are susceptible of new and varied forms in inverse proportion to the importance of the results that can be gained from them and the certainty and rationality of their issues Under such an aspect the well known Indian epopees may be compared with the Homeric perhaps since it is the vastness of the imagination by which poetical genius proves itself preferred to them as on account of the similarity of single strokes of imagination in the attributes of the divinities it has been contended that

tem while in virtue of its expressing itself also in abstract numbers and lines Pythagorean and Christian principles have been supposed to be detected in it Instances of bravery and indomit

view that in these nations as much of social virtue and morality may be found as in the most civilized Christian states or even more And on this ground a doubt has been suggested whether in the progress of history and of general culture mankind have become better whether their morality has been increased—morality being regarded in a subjective aspect and view as

good or a crime and evil or on a particular religion believed to be the true one

We may fairly decline on this occasion the task of tracing the formalism and error of such a view and establishing the true principles of morality or rather of social virtue in opposition to false morality For the history of the world occupies a higher ground than that on which morality has properly its position which is personal character the conscience of individuals their particular will and mode of action these

grounds and consequently with noble intention have resisted that which the advance of the spiritual idea makes necessary stand higher in moral worth than those whose crimes have been turned into the means—under the direction of a superior principle—of realizing the purposes of that principle But in such resolutions both parties generally stand within the limits of the same circle of transient and corruptible existence Consequently it is only a formal rectitude asserted by the living Spirit and by God which those who stand upon ancient right and order maintain The deed of great men who are the individuals of the world's history thus appear not only justified in view of that intrinsic result of which they were not conscious but also from the point of view occupied by the secular moralist But looked at from this point moral claims that are irrelevant must not be brought into collision with world historical deeds and their accomplishment The litany of private virtues—modesty humility philanthropy and forbearance—must not be raised against them The history of the world might on principle entirely ignore the circle within which morality and the so much talked of distinction between the moral and the politic lies—not only in abstaining from judgments for the principles involved and the necessary reference of the deeds in question to those principles are a sufficient judgment of them—but in leaving individuals quite out of view and unmentioned What it has to record is the activity of the spirit of peoples so that the individual forms which that spirit has assumed in the sphere of outward reality might be left

to genius poetry and even philosophy think equally that it find these everywhere We have here products of reflective thought and it is familiarly with those general conceptions which single out and name real distinctions without fathoming the true depth of the matter that we call culture It is something merely formal inasmuch as it aims at nothing more than the analysis of the subject whatever it be into its constituent parts and the comprehension of these in their logical definitions and forms It is not the free universality of conception necessary for making an abstract principle the object of consciousness Such a consciousness of thought itself and of its forms isolated from a particular

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de eloping a d pe fecting its powers in every
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from the arnety of products and form tions
wh ch it origi tes In this plea urable activity

— h h i t led either by

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the Eleatic and the Spinozistic philosophy—the distinction between the recognition of that unity as abstract and as concrete—concrete to the extent of being a unity in and by itself—a unity synonymous with spirit. But that co-ordination proves that it recognizes only such an abstract unity so that while it gives judgment respecting philosophy it is ignorant of that very point which constitutes the interest of philosophy.

But there are also spheres which amid all the variety that is presented in the substantial content of a particular form of culture remain the same. The difference above mentioned in art science philosophy concerns the thinking reason and freedom which is the self-consciousness of the former and which has the same one root with thought. As it is not the brute but only the man that thinks he only and only because he is a thinking being has freedom. His consciousness imports this that the individual comprehends itself as a *person* that recognizes itself in its single existence as possessing universality as capable of abstraction from and of surrendering all speciality and therefore as inherently infinite. Consequently those spheres of intelligence which lie beyond the limits of this consciousness are a common ground among those substantial distinctions. Even morality which is so intimately connected with the consciousness of freedom can be very pure while that consciousness is still wanting as far that is to say as it expresses duties and rights only as *objective commands* or even as far as it remains satisfied with the merely formal elevation of the soul—the surrender of the sensual and of all sensual motives—in a purely negative self-denying fashion. The *Chinese* morality since Europeans have become acquainted with it and with the writings of Confucius has obtained the greatest praise and proportionate attention from those who are familiar with the Christian morality. There is a similar acknowledgment of the sublimity with which the *Indian* religion and poetry (a statement that must however be limited to the higher kind) but especially the Indian philosophy expatiate upon and demand the removal and sacrifice of sensuality. Yet both these na-

laws are administered by officers of government and legal tribunals. Their treatises upon it (which are not law books but are certainly addressed to the subjective will and individual disposition) read as do the moral writings of the Stoics like a string of commands stated as necessary for realizing the goal of happiness so that it seems to be left free to men on their part to adopt such commands to observe them or not while the conception of an abstract subject a wise man forms the culminating point among the Chinese as also among the Stoic moralists. Also in the Indian doctrine of the renunciation of the sensuality of desires and earthly interests positive moral freedom is not the object and end but the annihilation of consciousness—spiritual and even physical privation of life.

It is the concrete spirit of a people which we have distinctly to recognize and since it is spirit it can only be comprehended spiritually that is by thought. It is this alone which takes the

an advance not only to the *intuition* but to the *thought*—the clear conception of itself. This it must and is also destined to accomplish but the accomplishment is at the same time its dissolution and the rise of another spirit another world historical people another epoch of universal history. This transition and connection lead us to the connection of the whole the idea of the world's history as such which we have now to consider more closely and of which we have to give a representation.

History in general is therefore the development of spirit in *time* as nature is the development of the idea in *space*.

If then we cast a glance over the world's history generally we see a vast picture of changes and transactions of infinitely manifold forms of peoples states individuals in unending succession. Everything that can enter into and interest the soul of man all our sensibility to *goodness beauty and greatness* is called into play. On every hand aims are adopted and pursued which we recognize whose accomplishment we desire—we hope and fear for them. In all these occurrences and changes we behold human action and suffering predominant everywhere something akin to ourselves and therefore everywhere something that excites our interest for or against. Sometimes it attracts us by beauty freedom and rich variety sometimes

like natural laws external positive commands claims established by force compulsory duties or rule of courtesy towards each other. Freedom through which alone the essential determinations of reason become moral sentiments is wanting. Morality is a political affair and its

INTRODUCTION

ideal, and distinct from its "real" activity. At such a time therefore we are sure to see people fluctuating about virtue partly because of the partial truth but partly in the place of it. Only on the hand pure universal thought, and its nature is universality is to bring the moral and non-moral—belief, trust, customary morality—to reflect upon self and its primitive compact to how up to limit on with which it is fettered, partly correcting reason of reason and duties partly self-determining laws and the connect on of such requirements with universal thought and not finding its correction seeking it in the author of it generally as desirable of a sound foundation.

At the same time the isolation of individuals from each other and from the whole makes its appearance their own weakness and inability to seek personal advantage and conduct this to the expense of the state at large. This inward principle in transition is so weak manifest on subjective also in form—its weakness and its freedom in the unbounded powers and egoism in mere self-interest.

Zeus therefore who is represented as having limited the downward power of Tim and reduced the transgression of his mind as limited something real and independent durable—Zeus and his race are themselves separated and his by the very power that produced the principle of the intellect perception, reason, might derived from rational grounds, and the requirement of such grounds.

Tim is the creative element in the phenomenal world. The unit is the same as Zeus but it is to develop the mind from that in which it therefore all in once generally is dissolved in the existence of a limited form to an ever greater in its objective character limited it appears the reference as to something immediate within—and is either a full call for and limited presence of the thinking object and its reflection on self.

But for we must have the will which proceeds from the self on the other hand, and mind and life so that regarding the species the real and the ideal can include the perishing of the individual is regress of the species in mind and matter. The perpetuation of the race is therefore not other than the continuous renewal of the same kind of nature. Further we must remark how perfect on the connection of being by long time as

the source and birthplace of a new and in fact higher form, in a principle which while it preserves dignity as material. For thought is that *something* that *perishes* which is immortal, which preserves identity with itself. The particular form of spirit not merely passes away in the world by natural causes in time but is annulled in the immaterial self mirror, its activity of consciousness. Because this annulling is an act of thought, it is at the same time conservative and elevating in its operation. While then on the one hand spirit annuls the reality the permanence of that which it is gains on the other side, the essence of thought, the universal element of that which it only was. Its principle is no longer that immediate import and aim which it was previously but the essence of that import and aim.

The result of this process is then that spirit in rendering itself if objects and making this as being an object of thought, on the one hand develops the determinate form of its being on the other hand gains a comprehension of the universal element which it involves and thereby gives new form to its inherent principle. In virtue of this the substantial character of the national spirit has been altered that its principle has risen to another and in fact higher principle.

It is of the highest importance in apprehending and comprehending history to have and to understand this thought involved in the transition. The individual character as a universal in grades of development and remains the same individual in like manner also does a people till the spirit which it embodies reaches the grade of universality. In this point lies the fundamental,

— on This is the soul

unity is that it is the transcending of immediate implanture effected once the negation of that existence and the returning into itself. We may compare it with the seed for with this the plant begins yet it is also the result of the plant's entire life. But the weak of life is exhibited in the fact that the commencement and the result are determined from each other. Thus is so in the life of individuals and peoples. The life of a people remains certain from its activity aims at the complete manifestation of the principle which it embodies. But this fruit does not fall back into the bosom of the people that produced and inured to on the contrary becomes a poison-draught to it. That poison-draught cannot let alone for it has

external violence during the process of giving to

our spirit sent to it but this having been attained the activity displayed by the spirit of the people in question is no longer needed it has its desire. The nation can still accomplish much in war and peace at home and abroad but the living substantial soul itself may be said to have ceased its activity. The essential supreme interest has consequently vanished from its life for interest is present only where there is opposition. The nation lives the same kind of life as the individual when passing from maturity to old age in the enjoyment of itself in the satisfaction of being exactly what it desired and was able to attain. Although its imagination might have transcended that limit it nevertheless abandoned any such aspirations as objects of *actual endeavor* if the real world was less than favorable to their attainment and restricted its aim by the conditions thus imposed. This mere *customary life* (the watch wound up and going on of itself) is that which brings on natural death. Custom is activity without opposition for which there remains only a formal duration in which the fulness and zest that originally characterized the aim of life are out of the question—a merely external sensuous existence which has ceased to throw itself enthusiastically into its object. Thus perish individuals thus perish peoples by a natural death and though the latter may continue in being it is an existence without intellect or vitality having no need of its institutions because the need for them is satisfied—a political nullity and tedium. In order that a truly universal interest may arise the spirit of a people must advance to the adoption of some new purpose but whence can this new purpose originate? It would be a higher more comprehensive conception of itself a transcending of its principle but this very act would involve a principle of a new order a new national spirit.

Such a new principle does in fact enter into the spirit of a people that has arrived at full development and self realization it dies not a simply natural death for it is not a mere single individual but a spiritual generic life in its case natural death appears to imply destruction through its own agency. The reason of this difference from the single natural individual is that the spirit of a people exists as a *genus* and consequently carries within it its own negation

in the very generality which characterizes it. A people can only die a violent death when it has become naturally dead in itself as e.g. the German imperial cities the German imperial constitution.

It is not of the nature of the all pervading spirit to die this merely natural death it does not simply sink into the senile life of mere custom but as being a national spirit belonging to universal history attains to the consciousness of what its work is it attains to a conception of itself. In fact it is world historical only in so far as a *universal principle* has lain in its fundamental element in its grand aim only so far as the work which such a spirit produces a moral, political organization. If it be mere desires that imper nations to activity such deeds pass over without leaving a trace or their traces are only ruin and destruction. Thus it was first Chronos—Time—that ruled the Golden Age without moral products and what was produced—the offspring of that Chronos—was devoured by it. It was Jupiter from whose head Minerva sprang and to whose circle of divinities belong Apollo and the Muses that first put a constraint upon Time and set a bound to its principle of decadence. He is the political god who produced a moral work—the state.

In the very element of an achievement the quality of generality of thought is contained without thought it has no objectivity that is its basis. The highest point in the development of a people is this—to have gained a conception of its life and condition to have reduced its laws its ideas of justice and morality to a science for in this unity lies the most intimate unity that spirit can attain to in and with itself. In its work it is employed in rendering itself an object of its own contemplation but it cannot develop itself objectively in its essential nature except in *thinking itself*.

At this point then spirit is acquainted with its principles—the general character of its acts. But at the same time in virtue of its very generality this work of thought is different in point of form from the actual achievements of the national genius and from the vital agency by which those achievements have been performed. We have then before us a *real* and an *ideal* existence of the spirit of the nation. If we wish to gain the general idea and conception of what the Greeks were we find it in Sophocles and Aristophanes in Thucydides and Plato. In these individuals the Greek spirit conceived and thought itself. This is the profounder kind of satisfaction which the spirit of a people attains but it is

ideal, and distinct from a real activity.

At each action therefore we are sure to see people finding the action in the *idea* of virtue, putting labor in it, partly satisfied by it with equal rest but partly in the place of it. On the other hand pure universal thought, since it is universal is not brought to the special and momentaneous—be it trust, customary or duty—to reflect upon itself and is primitive activity without the limitation with which it is fettered, partly suggesting reasons for reasoning, and partly itself determining and the connection of such requirements with universal thought, and so finding the connection, seeking to unreach the author or to give generally as desirable of sound freedom.

At the same time the isolation of individuals from each other and from the whole makes us recognize their separate weakness and vanity, their seeking, personal darkness and confusion, the expense of the state is large. This inward principle is transcending its own world, it is subjective also in form—its weakness and error on its unbounded powers and errors in errors of men.

Zen like fire was represented as having power in the devotion, agency of Time and spirit, its transcendence by having established something eternal and independent durable—Zen and his race are themselves swallowed up and lost by the very power that produced them—the principle of thought, perception, reasoning might derived from rational ground, and the requirement of such ground.

Time is the relative element in the various worlds. Thought is the same element but it is the deeper, the more form of it in which therefore all existence generally is dissolved in the existence of *consciousness* in the form of the *essence* in its objective character limited it varies itself as mere *discovering* immediate, motion—and other material, form and limited, or pre-*existing* for the thinking subject, and is *reflection* on itself.

But fire was born how? It is which proceeds from death is itself on the other hand, every individual life is its reflection, the *specious* the real and substantial in the vision of the present, the individual is *renewed* the *eternal* individual. The perpetuation of the fire is therefore not other than the momentaneous repetition of the *how* of existence. Further we must remark how perception on the comprehension of being by thought—is

the source and birthplace of a new and in fact higher form in principle which while it preserves dignifies its material. For *thought* is that *inner* that *perceives* which is immaterial, which preserves identity with itself. The particular form of spirit not merely passes away in the world by natural causes in time but is annulled in the automatic self-mirroring activity of consciousness. Because this annulling is an activity of thought, it is at the same time conservative and elevating in its operation. While then, on the one hand *consciousness* the reality the *permanence* of that which is it gains on the other side the essence, the *thought*, the universal element of that which *is* or *was*. Its principle is a long and immediate import and aim which was previously but the *essence* of that import and aim.

The result of this process is then that spirit in rendering itself objective and making itself being an object of thought on the other hand destroys the determinate form of its being on the other hand gains a comprehension of the universal element which it involves and thereby gives a new form to its inherent principle. In virtue of this the substantial character of the rational spirit has been altered, thus its principle has risen in another and in fact higher principle.

It is of the highest importance in apprehending and comprehending the *why* to have and to understand the *thought* involved in this transition. The individual traverses as a *unary* anonymous grades of development, and remains the same individual in like manner also does people till the spirit which it embodies reaches the grade of universality. In this process lies the fundamental the *deal* necessity of transition. This is the soul, the essential consideration of the philosophical comprehension of history.

Spirit is essentially the result of its own activity. Its content is the transcending immediate and unreflected existence, the negation of the existence and the returning into itself. We may compare it with the seed for with this the process begins, yet it is also the result of the process, the *beginning* the *weakness* of life is exhibited in the fact that the commencement and the result are *delayed* from each other. Thus also is it in the life of individuals and peoples. The life of people opens certainly from its activity aims at the complete manifestation of the principle which embodies. But this from does not fall back to the bosom of the people that produced and matured it on the contrary becomes poison-draught to it. That poison-draught it cannot let alone for it has

an insatiable thirst for it the taste of the draught is its annihilation though at the same time the rise of a new principle

We have already discussed the final aim of this progression The principles of the successive phases of spirit that animate the nations in a necessitated gradation are themselves only steps in the development of the one universal spirit which through them elevates and completes it self to a self comprehending totality

While we are thus concerned exclusively with the idea of spirit and in the history of the world regard everything as only its manifestation we have in traversing the past however extensive its periods only to do with what is *present* for philosophy as occupying itself with the true has to do with the *eternally present* Nothing in the past is lost for it for the idea is ever present spirit is immortal with it there is no past no future but an essential *now* This necessarily implies that the present form of spirit comprehends within it all earlier steps These have indeed unfolded themselves in succession independently but what spirit it is it has always been essentially distinctions are only the development of this essential nature The life of the ever present spirit is a circle of progressive embodiments which looked at in one aspect still exist beside each other and only as looked at from another point of view appear as past The grades which spirit seems to have left behind it it still possesses in the depths of its present

GEOGRAPHICAL BASIS OF HISTORY

Contrasted with the universality of the moral whole and with the unity of that individuality which is its active principle the *natural* connection that helps to produce the spirit of a people appears an extrinsic element but inasmuch as we must regard it as the ground on which that spirit plays its part it is an *essential and necessary* basis We began with the assertion that in the history of the world the idea of spirit appears in its actual embodiment as a series of external forms each one of which declares itself as an actually existing people This existence falls under the category of time as well as space in the way of natural existence and the special principle which every world historical people

all regarded as special possibilities from which the spirit of the people in question germinates and among them is the geographical basis It is not our concern to become acquainted with the land occupied by nations as an external locale but with the natural type of the locality as intimately connected with the type and character of the people which is the offspring of such a soil This character is nothing more nor less than the mode and form in which nations make their appearance in history and take place and position in it Nature should not be rated too high nor too low the mild Ionic sky certainly contributed much to the charm of the Homeric poems yet this alone can produce no Homers Nor in fact does it continue to produce them under Turkish government no bards have arisen We must first take notice of those natural conditions which have to be excluded once for all from the drama of the world's history In the Frigid and in the Torrid Zone the locality of world historical peoples cannot be found For awakening consciousness takes its rise surrounded by natural influences alone and every development of it is the reflection of spirit back upon itself in opposition to the immediate unreflected character of mere nature Nature is therefore one element in the antithetic abstracting process nature is the first standpoint from which man can gain freedom within himself and this liberation must not be rendered difficult by natural obstructions Nature as contrasted with spirit is a quantitative mass whose power must not be so great as to make its single force omnipotent In the extreme

When pressing needs are satisfied man turns to the general and more elevated But in the extreme zones such pressure may be said never to cease never to be warded off men are constantly impelled to direct attention to nature

the earth there presents itself in a continental

clarity shows itself in natural products The north has many kinds of animals and plants with common characteristics in the south where the land divides itself into points natural forms also present individual features contrasted with each other

sion is the mode of existence proper to mere nature These natural distinctions must be first of

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m d them even of their matrimon al duties)
we e first and very wisely directed to the crea
tion f wa ts—the prings of human activity

1

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ther towns which we e n t und r s ch yoke
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Alt —by Fra kf rt Offe bach—by N m
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ti between North America and Europe is
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est t hom while they tal with th m the ad
ant ges of E ean independ c of spirit

America as is well known is divided into two parts connected indeed by an isthmus but which has not been the means of establishing inter course between them. Rather these two divisions are most decidedly distinct from each other. North America shows us on approaching it along its eastern shore a wide border of level coast behind which is stretched a chain of mountains—the Blue Mountains or Appalach

f t h n a h h A h c

sirable kind to the United States whose origin belongs to this region. Behind that mountain chain the St. Lawrence River flows (in connection with the lakes) from south to north and on this river lie the northern colonies of Canada. Farther west we meet the basin of the vast Mississippi and the basins of the Missouri and Ohio which it receives and then debouches into the Gulf of Mexico. On the western side of this region we have in like manner a long mountain chain running through Mexico and the Isthmus of Panama and under the names of the Andes

advantages than that of North America. There lie Peru and Chile. On the east side flow eastward the monstrous streams of the Orinoco and Amazons; they form great valleys not adapted however for cultivation since they are only wide desert steppes. Towards the south flows the Rio de la Plata whose tributaries have their origin partly in the Cordilleras partly in the northern chain of mountains which separates the basin of the Amazon from its own. To the district of the Rio de la Plata belong Brazil and the Spanish Republics. Colombia is the northern coast land of South America at the west of which flowing along the Andes the Magdalena debouches into the Caribbean Sea.

With the exception of Brazil republics have come to occupy South as well as North America. In comparing South America (reckoning Mexico as part of it) with North America we observe an astonishing contrast.

In North America we witness a prosperous state of things: an increase of industry and population, civil order and firm freedom; the whole federation constitutes but a single state and has its political centres. In South America on the

these changes originate in military revolutions. The more special differences between the two parts of America show us two opposite directions: the one in political respects, the other in regard to religion. South America where the Spaniards settled and asserted supremacy is Catholic. North America although a land of sects of every name is yet fundamentally Protestant. A wider distinction is presented in the fact that South America was conquered but North America colonized. The Spaniards took possession of South America to govern it and to become rich through occupying political offices and by exactions. Depending on a very distant mother country their desires found a larger scope and by force address and confidence they gained a great predominance over the Indians. The North American states were on the other hand entirely colonized by Europeans. Since in England Puritans, Episcopalians and Catholics were engaged in perpetual conflict and now one party now the other had the upper hand many emigrated to seek religious freedom on a foreign shore. These were industrious Europeans who betook themselves to agriculture, tobacco and cotton planting etc. Soon the whole attention of the inhabitants was given to labour and the basis of their existence as a united body lay in the necessities that bind man to man: the desire of repose, the establishment of civil rights, security and freedom and a community arising from the aggregation of individuals as atomic constituents so that the state was merely one thing external for the protection of property. From the Protestant religion sprang the principle of the mutual confidence of individuals—trust in the honourable dispositions of other men for in the Protestant Church the entire life, its activity generally is the field for what it deems religious works. Among Catholics on the contrary the basis of such a confidence can not exist for in secular matters only force and voluntary subservience are the principles of action and the forms which are called constitutions are in this case only a resort of necessity and are no protection against mistrust.

If we compare North America further with Europe we shall find in the former the permanent example of a republican constitution. A subjective unity presents itself for there is a president at the head of the state who for the sake of security against any monarchical ambition is chosen only for four years. Universal protection for property and a something approaching entire immunity from public burdens

are facts which are constantly held up to commendation. We have in these facts the fundamental character of the community—the end of the individual for acquiescence in communal profit and gain, the preponderance of private interest devoted itself to that of the community only for its own advantage. We find, certainly legal relations a formal code of laws but respect for law exists apart from genuine probity and the American character commonly is under the imputation of dishonest dealings and illegal protection. If on the one side the Protestant Church develops the eternal principle of confidence, as already stated, thereby in morals on the other hand the recognition of the inability of the element of feeling to sustain a degree as great as in management unconsciously a measure of caprice. Those who adopt this standpoint maintain that as every man has his

existing civil condition is guaranteed. A comparison of the United States of North America with European lands is therefore impossible for in Europe such a natural outlet for population is twofold: all the emigrations that take place does not exist. Had the woods of Germany been in existence the French Revolution

will the inhabitants in the end of pressing outwards to occupy the fields previously wasted upon each other—pursuing their occupations and trading with their fellow-citizens and so form a compact system of civil society and require

The North American federal

which each the primary of business many of which have formed a workshop consisting in commercial elements and sometimes in the most sensuous extravaganzas. Thus complete freedom of workshop is developed to such a degree that the various organizations choose ministers and dismiss them according to their absolute pleasure. The church is an independent institution—having substantial spiritual being and correspondingly permanent external arrangement—but the affairs of religion are regulated by the good pleasure of the time being of the members of the community. In North America the most unbounded license of imagination in religious matters prevails and that religious unity is wanting which has been maintained in European States where deviations are limited to a few sessions. As to the political condition of North America the general object of the existence of this state is yet fixed and determined, and the ecclesiastical firm combination does yet exist for all state and real government rise only from distinction of classes has risen when wealth and poverty become extreme and when such a condition of things prevails it is itself that the proportion of the people can only satisfy its necessities the way which has been accustomed to do. But America is hitherto exempt from this pressure so that the outlet of colonization constantly is freely open and in latitudes relatively trailing into the plains of the Mississippi. By this means the hitherto fertile content is renewed and the continuance of the

fifty years experience that the American is more profitable to her than it was in a state of dependence. The militia of the North American Republic proved themselves quite as brave in the War of Independence as the Dutch under Philip II but generally where independence is not at stake less power is displayed and in the year 1814 the militia held out but indifferently against the English.

America is therefore the land of the future which in the past has borne the burden of the world's history shall reveal itself—perhaps in contest between North and South America. It is the land of desire for all those who are weary of the historical lumber room of old Europe. Napoleon is reported to have said *Cette est l'Europe menagée*. It is for America the ground on which hitherto the history of the world has developed itself. What has taken place in the New World up to the present time is only an echo of the Old World—the expression of a foreign life and as land of the future it has a more interesting future for us here. In regards history our concern must be with that

has an eternal existence—with reason and this is quite sufficient to occupy us

Dismissing then the New World and the dreams to which it may give rise we pass over to the Old World—the scene of the world's history and must first direct attention to the natural elements and conditions of existence which it presents. America is divided into two parts which are indeed connected by an isthmus but which forms only an external material bond of union. The Old World on the contrary which lies opposite to America and is separated from it by the Atlantic Ocean has its continuity interrupted by a deep inlet—the Mediterranean Sea. The three continents that compose it have an essential relation to each other and constitute a totality. Their peculiar feature is that they lie round this sea and therefore have an easy means of communication for rivers and seas are not to be regarded as disjoining but as uniting. England and Brittany, Norway and Denmark, Sweden and Livonia have been united. For the three quarters of the globe the Mediterranean Sea is similarly the uniting element and the centre of world history. Greece lies here the focus of light in history. Then in Syria we have Jerusalem the centre of Judaism and of Christianity, southeast of it lie Mecca and Medina the cradle of the Mussulman faith towards the west, Delphi and Athens farther west still, Rome on the Mediterranean Sea we have also Alexandria and Carthage. The Mediterranean is thus the heart of the Old World for it is that which conditioned and vitalized it. Without it the history of the world could not be conceived it would be like ancient Rome or Athens without the forum where all the life of the city came together. The extensive tract of eastern Asia is severed from the process of general historical development and has no share in it so also northern Europe which took part in the world's history only at a later date and had no part in it while the Old World lasted for this was exclusively limited to the countries lying round the Mediterranean Sea. Julius Cæsar's crossing the Alps the conquest of Gaul and the relation into which the Germans thereby entered with the Roman Empire makes consequently an epoch in history for in virtue of this it begins to extend its boundaries beyond the Alps. Eastern Asia and that trans-Alpine country are the extremes of this agitated focus of human life around the Mediterranean the beginning and end of history its rise and decline.

The more special geographical distinctions must now be established and they are to be re-

garded as essential rational distinctions in contrast with the variety of merely accidental circumstances. Of these characteristic differences there are three—

(1) The arid elevated land with its extensive steppes and plains

(2) The valley plains—the land of transition permeated and watered by great streams

(3) The coast region in immediate connection with the sea

These three geographical elements are the essential ones and we shall see each quarter of the

adapted to send forth impulses over the rest of the world. The second forms centres of civilization and is the yet undeveloped independence, the third offers the means of connecting the world together and of maintaining the connection.

(1) *The elevated land.* We see such a description of country in middle Asia inhabited by Mongolians (using the word in a general sense) from the Caspian Sea these steppes stretch in a northerly direction towards the Black Sea. As similar tracts may be cited the deserts of Arabia and of Barbary in Africa, in South America the country round the Orinoco and in Paraguay. The peculiarity of the inhabitants of this elevated region which is watered sometimes only by rain or by the overflowing of a river (as are the plains of the Orinoco)—is the patriarchal life, the division into single families. The region in which these families occupy is unfruitful or productive only temporarily, the inhabitants have their property not in the land from which they derive only a trifling profit but in the animals that wander with them. For a long time the land is found pasture in the plains and when they are depastured the tribe moves to other parts of the country. They are careless and provide nothing for the winter on which account therefore half of the herd is frequently cut off. Among the inhabitants of the upland there exist no legal relations and consequently there are exhibited among them the extremes of hospitality and rapine, the last more especially when they are surrounded by civilized nations as the Arabians who are assisted in their depredations by the horses and camels. The Mongolians feed on

patriarchal life it often happens that they cohere together in great masses and by an impulse

of one kind or another are excited to external

life. Let us now look at the character of the nations that are conditioned by this third element.

The sea gives us the idea of the indefinite, the unlimited, and infinite and in feeling his own

forest-torrent—possessing no inherent principle of fertility. From the uplands they rush down into the dells where dwell peaceful mountain-people—herdsmen who all occupy themselves with agriculture as the Swiss. Asia has also such people; they are however of the whole a less important element.

(2) *The valley plains.* These are plains permeated by rivers and which owe the whole of their fertility to the streams by which they are formed. The valley plain is China, India traversed by the Indus and the Ganges, Babylon where the Euphrates and the Tigris flow, Egypt watered by the Nile. In these regions extensive kingdoms rise and the foundation of great states begins. For agriculture, which prevails here as the primary principle of subsistence for mankind, is assisted by the equanimity of seasons which require reciprocal agricultural operations: property in land commences and the subsequent legal relations that rest on the basis and foundation of the state which becomes possible only in connection with herelations.

(3) *The coast land.* A river divides districts of country from each other but till we reach the sea and we are accustomed to regard water the separating element. Especially in recent times has it been insisted upon that states must necessarily have been separated by natural features. Yet on the contrary it may be asserted as a fundamental principle that nothing was so much water. Commerce and navigation use these districts occupied by streams. Cilicia is the valley of the Orontes, Bosphorus and the Tiber the valley of the Elbe. Egypt is the valley of the Nile. With the sea this is not less the case as has been already pointed out. Only mountains separate. The Pyrenees decided the separation of Gaul from France. The European has been in constant connection with America and the East Indies ever since they were discovered but they have scarcely penetrated into the interior of Asia and Africa because the course by land is much more difficult than by water. Only through the effect of being sea has the Mediterranean become the focus of national

plunder but also to honest gain and to commerce. The land, the mountain valley plain attaches him to the soil; it involves him in an infinite multitude of dependencies but the sea carries him out beyond the limited circles of thought and action. Those who navigate the sea have indeed gain for their object but the means are

what they aim at. This is what excites the gain and occupies above itself and makes something brave and noble. Courage is necessarily introduced into trade; danger is joined with wisdom. For the danger which encounters the sea must at the same time embrace wariness—caution—since it has to do with the treacherous, the most unreliable and deceitful element. This boundless plain is absolutely yielding withstanding no pressure, not even breath of wind. It looks boundless, innocent, submissive, friendly and inviting and it is exactly this submissiveness which changes the sea into the most dangerous and hostile element. To this deceitfulness and violence man opposes merely a simple piece of wood which confides entirely in his courage.

and arching movements or describes circles up to—as a machine whose invention does the greatest honour to the boldness of man as well as to his understanding. This stretching out of the sea beyond the limitations of the land, is wanting to the splendid political edifices of Asiatic states although they themselves border the sea—as for example China. For with the sea is only the limit, the ceasing of the land; they have no positive relation to it. The action to which the sea invites is a quite peculiar one; therefore rises the fact that the coastlands almost always separate themselves from the states

consider the three portions of the globe with which history is concerned, and hence the three

characteristic principles manifest themselves in a more or less striking manner. Africa has for its leading classical feature the upland Asia the contrast of river regions with the upland Europe the mingling of these several elements.

Africa must be divided into three parts: one is that which lies south of the desert of Sahara—Africa proper—the upland almost entirely unknown to us with narrow coast tracts along the sea; the second is that to the north of the desert European Africa (if we may so call it) a coast land; the third is the river region of the Nile the only valley land of Africa and which is in connection with Asia.

Africa proper as far as history goes back has remained for all purposes of connection with the rest of the world shut up: it is the gold land compressed within itself—the land of childhood which lingers beyond the day of self-conscious history: it is enveloped in the dark mantle of night. Its isolated character originates not merely in its tropical nature but essentially in its geographical condition. The triangle which it forms (if we take the west coast—which in the Gulf of Guinea makes a strongly indented angle—for one side and in the same way the east coast to Cape Gardafu for another) is on two sides so constituted for the most part as to have a very narrow coast tract habitable only in a few isolated spots. Next to this towards the interior follows to almost the same extent a girdle of marsh land with the most luxuriant vegetation the especial home of ravenous beasts snakes of all kinds—a border tract whose atmosphere is poisonous to Europeans. This border constitutes the base of a cincture of high mountains which are only at distant intervals traversed by streams and where they are so in such a way as to form no means of union with the interior for the interruption occurs but seldom below the upper part of the mountain ranges and only in individual places.

By sound crossing the mountains. During the three or three and a half centuries that the Europeans have known this border land and have taken places in it into their possession they have only here and there (and that but for a short time) passed these mountains and have nowhere settled down beyond them. The land surrounded by these mountains is an unknown upland from which on the other hand the Negroes have seldom made their way through. In the sixteenth century occurred at many very distant points outbreaks of terrible hordes which rushed down upon the more peaceful in-

habitants of the declivities. Whether any internal movement had taken place or if so of what character we do not know. What we do know of these hordes is the contrast between their conduct in their wars and forays themselves—which exhibited the most reckless inhumanity and disgusting barbarism—and the fact that afterwards when their rage was spent in the calm time of peace they showed themselves mild and well disposed towards the Europeans when they became acquainted with them. This holds good of the Fullahs and of the Mandingoes.

Senar. The Nile—Egypt which was adapted to become a mighty centre of independent civilization and therefore is as isolated and singular in Africa as Africa itself appears in relation to the other parts of the world. The northern part of Africa which may be specially called that of the coast territory (for Egypt has been frequently driven back on itself by the Mediterranean) lies on the Mediterranean and the Atlantic a magnificent territory on which Carthage once lay—the site of the modern Morocco Algiers Tunis and Tripoli. This part was to be must be attached to Europe the French have lately made a successful effort in this direction like the Near East it looks Europe wards. Here in their turn have Carthaginians Romans and Byzantines Mussulmans Arabians had their abode and the interests of Europe have always striven to get a footing in it.

The peculiarly African character is difficult to comprehend for the very reason that in reference to it we must quite give up the principle which naturally accompanies all our ideas—the category of universality. In Negro life the characteristic point is the fact that consciousness has not yet attained to the realization of any substantial objective existence—as for example God or law—in which the interest of man's volition is involved and in which he realizes his own being. The Negro's sense of his existence has not yet attained so that the knowledge of an absolute being another and a higher than his individual self is entirely wanting. The Negro as already observed exhibits the natural man in his completely wild and untamed state. We must lay aside all thought of reverence and morality all that we call feeling if we would rightly comprehend him there is nothing harmonious with

humanity to be found in this type of character. The copious and circumstantial accounts of mis-
sonaries completely confirm this and Moham-
medanism appears to be the only thing which in
any way brings the Negroes within the range of
culture. The Mohammedans too understand bet-
ter than the Europeans how to penetrate into
the interior of the country. The grade of culture
which the Negroes occupy may be more nearly
approached by considering the aspect which re-
ligion presents among them. That which forms

fancy of the individual seems to manifest itself
but as the objectivity is nothing other than the
fancy of the individual projecting itself into
space the human individuality remains master

has no independence as an object of religion

consciousness that the essence is something higher

there is no relation of dependence in this re-

man various injuries exactly the sense is

emphatically right God thunders but it is not
that content glorified as God. For the soul of
man God must be more than thunder wherever
among the Negroes this is not the case. Al-
though they are consciously dependent of de-
pendence upon nature—for they need the bene-
ficial influence of the firm cessation of the
day period and moon—yet this does not en-
dure them in the consciousness of a higher
power to which they who command the elements
and the celestial magic. The kings have a
large number of things which with them are
elemental things and every place possesses
high magicians who perform special ceremonies
with all sorts of gestures and dances up-
on and about and in the midst of the
confession of their incantations. The sec-
ond element of the religion consists in the
giving an outward form to this supernatural
power—projecting their hidden might to the

That the power in question remains substantial
ly always in being that the things object Death
is if it is looked upon by the Negroes as no uni-
versal natural law even this they think pro-
ceeds from evil-disposed magicians. In this doc-
trine is certainly in old the elevation of man
over Nature to such a degree that the chance
volition of man is superior to the merely natural
—that he looks upon this as an instrument to
which he does not pay the compliment of treat-
ing it in a way conditioned by it itself but which
he commands

But from the fact that man is regarded as the
highest, it follows that he has no respect for
himself for only with the consciousness of
higher being does he reach a point of view which
inspires him with reverence. For if barbaric
chance is the absolute the only substantial ob-
jectivity that is realized, the mind cannot in
substantiousness of any universality. The
Negro indulges the effort that perfects the
of humanity which in its bearing on justness and
morality is the fundamental characteristic of
the race. They have no knowledge of
the universality of the universal though spectre
supposed to appear. The undervaluing of
humanity motivates them rather as an incredible de-
gree of intensity. Tyranny is regarded as no
wrong and cannibalism is looked upon as quite

taken quite undistinctly they exalt the
digit of a genius it may be an animal a
tree or a wooden figure. This is the
fetich—a word which the Portuguese first
gave currency to which derived from
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the rulers and of the Mandingo tribes who inhabit the mountain terraces of the Senegal and Gambia The second portion of Africa is the river district of the Nile—Egypt which was adapted to become a mighty centre of independent civilization and therefore is as isolated and singular in Africa as Africa itself appears in relation to the other parts of the world The northern part of Africa which may be specially called that of the coast territory (for Egypt has been frequently driven back on itself by the Mediterranean) lies on the Mediterranean and the Atlantic a magnificent territory on which Carthage once lay—the site of the modern Morocco Algiers Tunis and Tripoli This part was to be must be attached to Europe the French have lately made a successful effort in this direction like the Near East it looks European wards Here in their turn have Carthaginians Romans and Byzantines Mussulmans Arabians had their abode and the interests of Europe have always striven to get a footing in it

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sons t death may himself suffer death, if the
grandees desire it. Fanaticism which notwithstanding
the existing disposition of the Negro
in the correct can be excited surpasses where
roused, the belief. An English traveler states
that when a war is decided, the solemn
ceremonies precede it among other
things the bows of the kings in their are laid
with human blood. As a prelude to the war the
king remains an outlaw until upon his own me-
tropolis is forced to execute the degree of frenzy.
The king went word to the English Hutchinson

Christian, take care, and watch well over our
family. The messenger of death has drawn his
sword. I will strike the neck of many Ashanti
when the drum sounds the death signal.
multitudes of me to the King if you can find
myself. The drum beat

all whom he suspects full of a utilitarian when
assumes the character of a sardonic. Every
idea thrown into the mind of the Negro is caught
up and realized with the whole energy of his
will but this realization is not a wholesale
destruction. These people in their rest
but seldom the passions ferment and then
they are quite beside themselves. The destruc-
tion which is the consequence of their excite-
ment is caused by the fact that it is no political
idea, the right which produces these emotions
is physical rather than spiritual thus
when I Dahomey when the king dies the bonds
of society are loosened in his palace begins indis-
criminate havoc and disorganization. All the
members of the king (in Dahomey then number as

even their own subjects and viewed in the light
of society we may conclude slavery to have
been the occasion of the increase of human feel-
ing among the Negroes. The doctrine which we
deduce from this condition of slavery among
the Negroes and which constitutes the only side
of the question that has an interest for our in-
quiry is that which we deduce from the idea
that the natural condition itself is one
of absolute and thorough justice co-termin-
ation of the right and just. Every intermediate
grade between this and the realization of a ra-
tional state remains as might be expected, ele-
ments and aspects of injustice. Therefore we
find slavery even in the Greek and Roman states
as we do slavery down to the latest times. But
thus existing in a state slavery is itself a phase
of advance from the merely isolated sensual
existence a phase of education a mode of be-
coming participant in a higher morality and the
culture connects with it. Slavery is in itself
itself a phase for the exercise of humanity is
freedom but for this man must be matured.
The gradual abolition of slavery is therefore
wiser and more equitable than its sudden re-
moval.

world. Carthage displayed there an impo-
transitory phase of civilization but was a
phase in the history of Egypt will

point. What we properly understand by Africa
is the unhistorical undeveloped point still in-
volved in the conditions of mere nature and
the

with rises has to have ten to proclaim the new
world imply to put a stop to man's

From these remarks it may be seen that
want of self-control distinguishes the character
of the Negroes. This condition is a result of
development culture and we see them at
this day which they always been. The
essential connection that has existed con-
tinued between the Negroes and the European
is that of slavery. Thus the Negroes are the
negatives to the English which has
don't most of the abolition of the slave trade and
the very result of the Negroes themselves
as enemies. For the point of first importance
with the kings is sell their old enemies or

world, and is but by the West—so Asia is
ab but by the East

In Asia as the light of spirit and therefore
the history of the world.

We must now consider the various localities

customary and proper. Among us instinct deters from it if we can peak of instinct at all as appertaining to man. But with the Negro this is not the case and the devouring of human flesh is altogether consonant with the general principles of the African race to the sensual Negro human flesh is but an object of sense—mere flesh. At the death of a king hundreds are killed and eaten, prisoners are butchered and their flesh sold in the markets, the victor is accustomed to eat the heart of his slain foe. When magical rites are performed it frequently happens that the sorcerer kills the first that comes in his way and divides his body among the bystanders. Another characteristic fact in reference to the Negroes is slavery. Negroes are enslaved by Europeans and sold to America. Bad as this may be, their lot in their own land is even worse, since there a slavery quite as absolute exists, for it is the essential principle of slavery that man has not yet attained a consciousness of his freedom and consequently sinks down to a mere thing—an object of no value. Among the Negroes moral sentiments are quite weak or more strictly speaking non-existent. Parents sell their children and conversely children their parents as

claim. The polygamy of the Negroes has frequently for its object the having many children to be sold, every one of them into slavery, and very often naive complaints on this score are heard, as for instance in the case of a Negro in London who lamented that he was now quite a poor man because he had already sold all his relations. In the contempt of humanity displayed by the Negroes it is not so much a despising of death as a want of regard for life that forms the characteristic feature. To this want of regard for life must be ascribed the great courage supported by enormous bodily strength exhibited by the Negroes who allow themselves to be shot down by thousands in war with Europeans. Life has a value only when it has something valuable as its object.

Turning our attention in the next place to the category of *political constitution*, we shall see that the entire nature of this race is such as to preclude the existence of any such arrangement. The standpoint of humanity at this grade is mere sensuous volition with energy of will, since universal spiritual laws (for example that of the morality of the family) cannot be recog-

nized here. Universality exists only as arbitrary subjective choice. The political bond can therefore not possess such a character as that free laws should unite the community. There is absolutely no bond, no restraint upon that arbitrary volition. Nothing but external force can hold the state together for a moment. A ruler stands at the head for sensuous barbarism can only be restrained by despotic power. But since the subjects are of equally violent temper with their master, they keep him on the other hand within limits. Under the chief there are many other chiefs with whom the former whom we will call the king takes counsel, and who consent he must seek to gain if he wishes to undertake a war or impose a tax. In this relation he can exercise more or less authority and by fraud or force can on occasion put this or that chieftain out of the way. Besides this the kings have other specified prerogatives. Among the A-hanti the king inherits all the property left by his subjects at their death. In other places all unmarried women belong to the king and whoever wishes a wife must buy her from him. If the Negroes are discontented with their king they depose and kill him. In Dahomey when they are thus displeased the custom is to send parrots eggs to the king as a sign of dissatisfaction with his government. Sometimes also a deputation is sent which intimates to him that the burden of government must have been very troublesome to him and that he had better rest a little. The king then thanks his subjects, goes into his apartments and has himself strangled by the women. Tradition alleges that in former times a state composed of women made itself famous by its conquests; it was a state at whose head was a woman. She is said to have pounded her own son in a mortar to have besmeared her self with the blood and to have had the blood of pounded children constantly at hand. She is said to have driven away or put to death all the males and commanded the death of all male children. These furies destroyed everything in the neighborhood and were driven to constant plunderings because they did not cultivate the land. Captives in war were taken as husband, pregnant women had to betake themselves outside the encampment and if they had born a son put him out of the way. This infamous tale the report goes on to say subsequently disappeared. Accompanying the king we constantly find in Negro states the executioner whose office is regarded as of the highest consideration and by whose hands the king though he makes use of him for putting suspected per-

Europe to which we now come has not the physical varieties which we noticed in Asia and Africa. The European character includes the disappearance of the contrast exhibited by earlier varieties or at least a modification of it.

The second position is the heart of Europe which Cæsar opened when conquering Gaul. This achievement was one of manhood on the part of the Roman general and more productive than that youthful one of Alexander who

to

The first part is south in Europe looking to the north of the Pyrenees.

1

contrast with the physical peculiarities of the earlier days in these cases as already noticed not present in remarkable degree but counterbalance each other.

home here

of Asia. Its physical constitution presents direct antitheses and the essential relation of these antitheses. Its various geographical principles are formations in themselves developed and perfected.

First the northern slope Siberia must be illuminated. This is its fine northern

because the northern zone as already stated lies out of the pale of history. But the remainder includes three very interesting localities. The first is as in Africa a massive upland with a mountain girdle which contains the highest summits in the world. This upland is bounded on the south and southeast by the Mus Tag or Imaus parallel to which farther south runs the Himalaya chain. Towards the east a mountain chain running from south to north parts off the basin of the Amur. On the north lie the Altai and Songarian mountains in connection with the latter in the northwest the Musart and in the west the Belur Tag which by the Hindu Kush chain are again united with the Mus Tag.

This high mountain girdle is broken through by streams which are dammed up and form great valley plains. These more or less inundated present centres of excessive luxuriance and fertility and are distinguished from the European river districts in their not forming as those do proper valleys with valleys branching out from them but river plains. Of this kind are the Chinese valley plain formed by the Hwang Ho and Yangtze Kiang (the Yellow and Blue Streams) next that of India formed by the Ganges less important is the Indus which in the north gives character to the Punjab and in the south flows through plains of sand. Farther on the lands of the Tigris and Euphrates which rise in Armenia and hold their course along the Persian mountains. The Caspian Sea has similar river valleys in the east those formed by the Oxus and Jaxartes (Gihon and Sihon) which pour their waters into the Sea of Aral on the west those of the Cyrus and Araxes (Kur and

the land of the desert the upland of plains the empire of sa

In regard to Asia the remark above offered respecting geographical differences is especially

true: that the rearing of cattle is the business of the upland agriculture and industrial pursuits that of the valley plains while commerce and navigation form the third and last item. Patriarchal independence is strictly bound up with the first condition of society property and the relation of lord and serf with the second civil freedom with the third. In the upland where the various kinds of cattle breed the rearing of horses camels and sheep (not so much of oxen) deserve attention we must also distinguish the calm *habitudinal* life of nomad tribes from the wild and restless character they display in their conquests. The people without developing themselves in a really historical form are swayed by a powerful impulse leading them to change their aspect as nations and although they have not attained a historical character the beginning of history may be traced to them. It must however be allowed that

idea is thus awakened and herein lies the principle of property and productive industry. China India Babylonia have risen to the position of cultivated lands of this kind. But as the peoples that have occupied these lands have been

ment of their civilization) and as their navigation of it to whatever extent it may have taken place remained without influence on their culture—a relation to the rest of history could only exist in their case through their being sought out and their character investigated by others. The mountain girdle of the upland the upland itself and the river plains characterize Asia physically and spiritually but they themselves are not concretely really historical elements. The opposition between the extremes is simply recognized not harmonized a firm settlement in the fertile plains is for the mobile restless roving condition of the mountain and upland races nothing more than a constant object of endeavour. Physical features distinct in the sphere of nature assume an essential historical relation. The Near East has both elements in one and has consequently a relation to Europe for what is most remarkable in it this land has not kept for itself but sent over to Europe. It presents the origination of all religious and political principles but Europe has been the scene of their development.

Europe to which we now come has not the physical anities which were united in Asia and Africa. The European character involves the disappearance of the contrast exhibited by

The second position is the heart of Europe which Cæsar opened when conquering Gaul.

basis of classification.

The first part is southern Europe looking towards the Mediterranean. North of the Pyrenean mountain chains run through France connected with the Alps that separate and cut off Italy from France and Germany. Greece also

undertook to exhibit the East to a participation in Greek life and whose work, though in its proportion the noblest and fairest for the imagination soon vanished as a mere ideal in the sequel. In the centre of Europe France Germany and England are the principal countries.

Lastly the third part consists of the northern extremities of Europe—Poland, Russia and the Slavonic kingdoms. They come only late into the series of historical states and form and perpetuate the connection with Asia. In contrast with the physical peculiarities of the latter, these are already noted in types set in a remarkable degree but count balance each other.

from here

CLASSIFICATION OF HISTORIC DATA

In the general survey the course of the world's history has been marked out in its general features. The sun—the light—rises in the east. Light is a sun which self-enclosed existence but through possessing in itself universality it exists at the same time as an individuality in the sun. Instant on has been pictured to us. If the emotions of blind man suddenly becoming, possessed of light becoming the bright glimmering of the dawn, the growing light and the sun glow of the ascending sun. The boundless forgetfulness of his individuality in this

despotism the second democracy and *aristocracy* the third monarchy

or more remarks

Hereby the drama is made to the perception of the relation between the two. Then inactive contemplation is quitted for activity by the close of the drama has erected a building constructed in his own inner sun and when in the evening by contrast it is thus he esteems more highly than the original external sun. For now he stands in a conscious relation to his own and therefore of the relation. If we hold the image fast in mind, we shall find the symbol of the course of history the great days work is done.

The East of the world travels from east to west for Europe is absolutely the end of history and the beginning. The history of the world has an east. Egypt (the term east in itself is a relative) is the earth forms upon which to perform our little round but to do this on any determinate east or west. Asia rises the outward physical sun, and in the west sinks down here contentment. Asia rises to us of self-consciousness which does a nobler brilliance. The history of the world is the discipline of the unenlightened natural will bringing it into obedience to universal principle and conferring subjective freedom. The East knew and the present day knows only that one is free the Greek and Roman world knew that all are free the German world knows that all are free. The first political form where the whole world is free in his own

whether is constituent individuals and personal beings having a properly subjective and independent existence. In view of this substantial freedom must be distinguished from subjective freedom. Substantial freedom is the abstract undeveloped reason implicit in itself, proceeding to develop itself in the state. But in this phase of reason there is still wanting personal insight and will, that is subjective freedom, which is realized only in the individual, and which constitutes the reflection of the individual in his own conscience. Where there is merely substantial freedom, commands and laws are regarded as something fixed and abstract, to which the subject holds himself in absolute servitude. These laws need not co-exist with the desire of the individual, and the subjects are consequently like children who obey their parents without will or insight of their own. But as subjective freedom arises and man descends from the contemplation of external existence to his own soul the contrast suggested by reflection arises in relation to the negation of reality. The drawing back from the actual world forms *pro se* an antithesis of which one side is the 'absolute being—the divine—the other the human subject as an individual. In that immediate

The first phase that with which we have to begin is the East. It reflected consciousness—substantial, objective spirit in universal form. To be that which the subjective will first sustains relation in the form of faith confident obedience. If the political life of the East was find a realized rational freedom developing

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To understand this division we must remark that as the state is the universal principle of

possesse
in the dawn the growing light and the flame glow of the ascending sun. The boundless forgetfulness of his individuality in this pre-splendour is his first feeling—utter astonishment. But when the sun is risen this astonishment is diminished. Objects around are perceived, and from them the individual proceeds to the contemplation of his own inner being and thereby the divisions made in the perception of the relation between the two. Then inactive contemplation is quitted for activity by the close of day man has erected a building constructed from his own inner sun and when in the evening he contemplates this he esteems it more highly than the original external sun. For

in the inner reason

of spirit

The history of the world travels from east to west for Europe is absolutely the end of history. Asia the beginning. The history of the world has an east—of Christ (the Christ in himself) last of the earth's history but has on the contrary the form of a circle round itself. A. H. rises the outward physical sun in the west sinks down here. None rises but in himself-consciousness which discovers a brilliant. The history of the world is the discipline of the unconscious of the universal will, bringing it into obedience to a universal principle and confirming subjects of freedom. The East knew and to the present day knows that man is free. The German world, that once the Greek and Roman world, that once the Greek and Roman world knows that all are free. The first political form therefore which we observe in history is

servitude. These laws need not concern with the desire of the individual and the subjects consequently like children who obey their parents with a will of their own. But subject of freedom rises and man descends from the contemplation of external reality into his own world of the trust suggested by reflection arises in the negation of reality. The drawing back from the actual world forms *pro fact* an antithesis of which one side is the absolute being—the divine—the other the human subject as an individual. In that immediate unreflected consciousness which characterizes the East the two are not yet distinguished. The substantial world is distinct from the individual, but the antithesis has not yet created a being between spirit.

The first phase that with which we have to begin is the East. Unreflected consciousness—substantial, objective spiritual existence—of man has a subject which the subject will first maintain a relation in the form of faith, confidence, obedience. In the political life of the East we find realized rational freedom and longing

itself without advancing to *subjective* freedom. It is the childhood of history. Substantial forms constitute the gorgeous edifices of Oriental empires in which we find all rational ordinances and arrangements but in such a way that individuals remain as mere accidents. These revolve round a centre round the sovereign who as patriarch not as despot in the sense of the Roman imperial constitution stands at the head. For he has to enforce the moral and substantial he has to uphold those essential ordinances which are already established so that what among us belongs entirely to subjective freedom here proceeds from the entire and general body of the nation. The individual

has a separate existence or mirrors himself in

essentially merged the latter looks for its dignity *not* in itself but in that absolute object. All the elements of a complete state—even subjectivity—may be found there but not yet harmonized with the grand substantial being. For outside the one power—before which nothing can maintain an independent existence—there is only revolting caprice which beyond the limits of the central power roves at will without

the central substance. This phase of substantiality since it has not taken up its antithesis into itself and overcome it directly divides itself into two elements. On the one side we see duration stability—empires belonging to mere space as it were unhistorical history as for example in China the state based on the family relation a paternal government which holds together the constitution by its provident care its admonitions retributive or rather disciplinary inflictions a prosaic empire because the antithesis of form vs. infinity ideality has not yet asserted itself. On the other side the form of time stands contrasted with this spatial stability. The states in question without undergoing any change in themselves or in the principle of their existence are constantly changing their position towards each other. They are in ceaseless conflict which brings on rapid destruction. The opposing principle of individuality enters into these conflicting relations but it is it

part really *unhistorical* for it is only the repetition of the same majestic ruin. The new element which in the shape of bravery proves magnanimity occupies the place of the previous despotic pomp goes through the same circle of decline and subsidence. This subsidence is therefore not really such for through all this restless change no advance is made. History passes at this point and only outwardly *seems* without connection with the previous phase to Central Asia. Continuing the comparison with the ages of the individual man this would be the boyhood of history no longer manifesting the repose and trustfulness of the child but boisterous and turbulent. The Greek world may then be compared with the period of adolescence for here we have individualities forming themselves. This is the *second* main principle in human history. Morality is as in Asia a principle but it is morality impressed on individuality and consequently denoting the free volition of individuals. Here then is the union of the moral with the subjective will or the kingdom of *beautiful freedom* for the idea is united with a plastic form. It is not yet regarded as abstractly but immediately bound up with the real as in a beautiful work of art the sensuous bears the stamp and expression of the spiritual. The kingdom is consequently true harmony the world of the most charming but perishable or quickly passing bloom it is the natural unreflecting observance of what is *becoming*—not yet true *morality*. The individual will of the subject adopts unreflectingly the conduct and habit prescribed by justice and the laws. The individual is therefore in unconscious unity with the idea—the social weal. That which in the East is divided into two extremes—the substantial as such and the individuality absorbed in it—meets here. But these distinct principles are only *immediately* in unity and consequently involve the highest degree of contradiction for this æsthetic morality has not yet passed through the struggle of subjective freedom in its second birth its *palingenesis* it is not yet purified to the standard of the free subjectivity that is the essence of true morality.

The third phase is the realm of abstract universality (in which the social aim absorbs all individual aims) it is the Roman State the severe labors of the *manhood* of history. For true manhood acts neither in accordance with the

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the rough and wild barbarism of the *secular* state is here likewise present. The secular *ought* to be in harmony with the spiritual principle but we find nothing more than the *recognition* of that obligation. The secular power forsaken by the spirit must in the first instance vanish in presence of the ecclesiastical but while this latter degrades itself to mere secularity it loses its influence with the loss of its proper character and vocation. From this corruption of the ecclesiastical element—that is of the church—results the higher form of rational thought. Spirit once more driven back upon itself produces its work in an intellectual shape and becomes capable of realizing the ideal of reason from the secular principle alone. Thus it happens that in virtue of elements of universality which have the principle of spirit as their

basis the empire of thought is established actually and concretely. The antithesis of church and state vanishes. The spiritual becomes reconnected with the secular and develops the latter as an independently organic existence. The state no longer occupies a position of real inferiority to the church and is no longer subordinate to it. The latter asserts no prerogative and the spiritual is no longer an element foreign to the state. Freedom has found the means of realizing its ideal—its true existence. This is the ultimate result which the process of history is intended to accomplish and we have to traverse in detail the long track which has been thus cursorily traced out. Yet length of time is something entirely relative and the element of spirit is eternity. Duration properly speaking cannot be said to belong to it.

FIRST PART

THE ORIENTAL WORLD

We have to begin with the mental world, but not before the period in which we discover states

1. The diffusion of language and the formation of races lie beyond the limit of history. History is proper to myths of the history of the conscious existence of material finite existence only an essential connection with the power of form abstract dimensions and a general abstract education in proportion as a capacity for expressing laws is acquired, in the same proportion does the ability manifest itself to comprehend objects in an unpoetical form. While the antehistorical is that which precedes political life it lies beyond self-cognition; if, though surmises and suppositions may be entertained respecting that period, these do not amount to fact. The Oriental world has as its inherent and distinctive principle the substantial immutability. We have the first example of conjugation of the mere arbitrary will which is merged in this sub-titularity. Moral distinctions and equities are expressed in law but so that the objects

are governed by these laws by an external force. Nothing objects in the hope of disposition consequence formal freedom is recognized. Just dominion extends only on the basis of external immutability and government exists only as the prerogative of compulsion. Our civil law contains and demands purely compulsory dimensions. I can be compelled to give up an immovable property or to keep a agreement which I have made but the moral sense is not placed by us in the mere compulsion but in the disposition of the object the sympathy with the requirements of law. Moral relations in the East likewise object of positive legislation and although the moral prescription in the subject of the thing may be perfect that which should be internal subject sentiment made manifest itself in all relations. There will to command moral actions, but for a little people form them because commanded from within. Since it has not yet been the object of law the appearance of spiritual will is distant

the conditions of nature. Hence the external and the internal law and moral sense are not yet distinguished—still form an undivided unity—so also do religion and the state. The constitution generally is a theocracy and the kingdom of God is to the same extent also a secular kingdom. The secular kingdom is also divine. What we call God has not yet in the East been realized in consciousness. Our idea of God involves elevation of the soul to the supersensual. While

firmament. In the lawmen etc. given to their own will but one entirely for God.

Of the general parts of Asia we have already eliminated as unhistorical Upper Asia (of nomads and long nomad population do not appear on the scene of history) and Siberia. The rest of the Asiatic world is divided into four districts. First the river plains formed by the Nile and the Blue Nile in the upland of farthest Asia—China and the Mongols. Secondly the valley of the Ganges and that of the Indus. The third theatre of history comprises the river plains of the Oxus and Jaxartes the upland of Persia and the other valley plains of the Euphrates and Tigris to which the Near East attaches itself. Fourthly the river plain of the Nile.

With China and the Mongols the realm of theocratic despotism history begins. Both have the patriarchal constitution for their principle—so modified in China as to admit the development of an organized system of secular politics while among the Mongols it turns itself to the simple form of a spiritual, religious sovereignty. In China the monarch is the patriarch. The Law

the rough and wild barbarism of the *secular* state is here likewise present. The secular *ought* to be in harmony with the spiritual principle but we find nothing more than the *recognition* of that obligation. The secular power forsaken by the spirit must in the first instance vanish in presence of the ecclesiastical but while this latter degrades itself to mere *ecularity* it loses its influence with the loss of its proper character and vocation. From this corruption of the ecclesiastical element—that is of the church—results the higher form of rational thought. Spirit once more driven back upon itself produces its work in an intellectual shape and becomes capable of realizing the ideal

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and for others the solution of which is only to be found in the *Geekwo* id.

If we compare these kingdoms in the light of their various fates we find the empire of the two Chinese rivers the only durable kingdom in the world. Conquests cannot affect such an empire. The world of the Ganges and the Indus has also been preserved. A state of things destitute of thought is likewise imperishable, but it is in its very nature destined to be mixed with other races—to be conquered and subjugated. While these two realms have remained to the present

that of transition, is by nature perishable and the kingdoms of the Caspian Sea are given up to the ancient struggle of Iran and Turan. The

above ground is nothing else but such splendid tombs.

Section I

CHINA

What empire of China history has to begin, if it is to lead, as far as history goes us any information and the principle has such substantiality that if the empire in question it is at once the best and the worst. Early do we see China advancing to the condition in which it is found at this day for as the contrast between objective existence and subjective feeling of movement in it is still wanting every change is excluded and the fixities of character which recur perpetually takes the place of what we would call the truly historical China and India. For as we recall the world history as the mere presupposition of elements whose combination must be waited for in the constitution of the progress. The unity of substantiality and the unity of freedom so entirely excludes the distinction and on that of the two elements by which every substance cannot turn to itself — the subjective. The substantiality is the moral aspect, rules thereof, as the moral disposition of the subject but as the despotism of the sovereign.

A people has so nothing on common terms of history as the Chinese. Other Asiatic peoples also have ancient traditions but in history the Vedas of the Indians are not such. The traditions of the Arabs are very old, but are

not attached to a political constitution and its development. But such a constitution exists in China and that in a distinct and prominent form. The Chinese traditions ascend to three thousand years before Christ and the *Shi King* their canonical document beginning with the government of Yao places thus 3 years before Christ. It may here be incidentally remarked that the other Asiatic kingdoms also reach a high antiquity. According to the calculation of an English writer the Egyptian history *e.g.* reaches to 27 years before Christ the Assyrian to 21 the Indian to 24. Thus the traditions respect to the principal kingdoms of the East reach to about 300 years before the birth of Christ. Comparing this with the history of the Old Testament, space of 2400 years according to the common calculation intervened between the Deluge and the Christian era. But Johannes von Müller has adduced weighty objections to this number. He places the Deluge in the year 343 before Christ—thus about a thousand years earlier—proportion, however by the Septuagint. I remark this only to obviate a difficulty that may appear to arise when we meet with dates of higher age than 400 years before Christ and yet find nothing about the Flood.

The Chinese have certain ancient canonical documents from which their history constitution, and religion can be gathered. The Vedas and the Mosaic records are similar books as also the Homeric poems. Among the Chinese these books are called *Kings* and constitute the foundation of all their studies. The *Shi King* joins their history treats of the government of the ancient kings and gives the statutes enacted by this or that monarch. The *I King* consists of figures which have been regarded as the bases of the Chinese written character and this book is also considered the groundwork of the Chinese meditation. First begins with the abstractions of unity and duality and then treats of the occult existences pertaining to these abstract forms of thought. Lastly the *Shi King* is the book of the best poems in a great variety of titles. The high officers of the kingdom were anciently commissioned to bring with them to the annual festival all the poems composed in their province within the year. The emperor in full court was the judge of these poems and those recognized as good received public approbation. Besides these three books of archives

then attain to maturity here since moral laws are treated as legislative enactments and law on its part has an ethical aspect. All that we call subjectivity is concentrated in the supreme head of the state who in all his legislation has an eye to the health, wealth, and benefit of the whole. Contrasted with this secular empire is the spirit

is regulated by the same principle of law as the obedience of the subject. We have thus a general principle—a law lying at the basis of the whole—but which is still regarded as a dictum of mere nature is clogged by an antithesis. The representation therefore which spirit makes of itself is at

can be developed

In the second phase—the *Indian* realm—we see the unity of political organization, a perfect civil machinery such as exists in China, in the first instance broken up. The several powers of

jects and the Persian spirit is accordingly clearly illuminated—the idea of a people living in pure morality as in a sacred community. But this has on the one hand as a merely natural ecclesia, the above antithesis still unreconciled, and its sanctity displays the characteristics of a compulsory external one. On the other hand this antithesis is exhibited in Persia in its being the empire of hostile peoples and the union of the most widely differing nations. The Persian unity is not that abstract one of the Chinese Empire; it is adapted to rule over many and various nationalities.

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appear as if they derived gain from the development of the distinctions in question. For though we find the organization of the state no longer as in China determined and arranged by the one all-absorbing personality, the distinctions that exist are attributed to nature and so become differences of caste. The unity in which these divisions must finally meet is a religious one, and

tion. In the organization of the several peoples the various principles and forms of life have full play and continue to exist together. We find in this multitude of nations roving nomads, then we see in Babylonia and Syria commerce and industrial pursuits in full vigour, the wildest sensuality, the most uncontrolled turbulence. The coasts mediate a connection with foreign lands. In the midst of this confusion the spiritual God of the Jews arrests our attention—like Brahma existing only for thought, yet jealous and excluding from his being and abolishing all distinct speciality of manifestations such as are freely allowed in other religions. This Persian Empire then—since it can tolerate these several principles—exhibits the antithesis in a lively active form and is not shut up within itself, abstract and calm as are China and India—makes a real transition in the history of the world.

If Persia forms the external transition to Greek life, the internal mental transition is mediated by *Egypt*. Here the antitheses in their abstract form are broken through—a breaking through which effects their nullification. This undeveloped reconciliation exhibits the struggle of the most contradictory principles which are not yet capable of harmonizing themselves but setting up the birth of this harmony as the problem to be solved, make themselves a riddle for themselves.

of the isolation of the constituent elements of the idea—a principle which posits the harshest antithesis—the conception of the purely abstract unity of God and of the purely sensual powers of nature. The connection of the two is only a constant change, a restless hurrying from one extreme to the other, a wild chaos of fruitless variations which must appear as madness to a duly regulated intelligent consciousness.

The third important form presenting a con

we might compare with Greece. Persia on the other hand with Rome. In Persia, namely, the theocratic power appears as a *monarchy*. Now monarchy is that kind of constitution which does indeed unite the members of the body politic in the head of the government as in a point, but regard that head neither as the absolute director nor the arbitrary ruler, but as a power whose will

THE ORIENTAL WORLD

that they found traces and monuments A Tartar kingdom *Lya Tong* existing in the north of China is said to have been reduced and taken possession of by the Chinese with the help of the eastern Tartars about 1100 A.D. This new empire these very Tartars an opportunity

jectivity and mobility Here we have the one being of the state supremely dominant—the substance which still hard and inflexible resembles nothing but itself includes no other element This elation then expressed more definitely and conformably with its conception is

country any more than did the emperor of the Ming in the year 1281 The Manchus that live in China have to conform to Chinese

regard themselves as belonging to and at the same time as children of the state In the family itself they are not personalties for the consolidated unity in which they exist as members of it is consanguinity and natural obligation In the state they have as little independent personality for there the paternal character of the government is

spiritual spirit and the individual but this is equivalent to the position of the family which is to be extended over the multitude of communities The element of subjectivity—that is to say the effect of position of the individual within the totality (as the power in which it is embodied) of the recognition of the power one with the other of being in which it knows itself—is not found on this grade of development The individual will display its subjectivity immediately though that of the individual the latter has self-recognition of all in relation to the individual position of being which it does not regard as a power standing over it—as in Judaism

involving grade and unchangeable relations 1 The mutual one of the emperor and people 2 Of the father and children 3 Of an

nation unalienable effect and personal independence If he does not obey he thus actually separates himself from the substance of his being unalienable has this separation as its medium the retreat with the personality of his own the punishment he undergoes does not affect his subjectivity and internal but implies his outward existence The element of subjectivity is therefore much wanting to this political totality the latter is not deluged by the effect of undation in the moral disposition of the subject For the substance simply an individual—the emperor—whose law constitutes the condition Nevertheless this governing limitation does not imply caprice which would itself indicate inclination—that is sub-

into the home he must seem to contract himself to nothing at the door and may not leave the room without his father's permission When the father dies the son must mourn for three years—abstaining from meat and wine The business in which he was engaged, even that of the state must be suspended for he is

reached his fiftieth year exempts the bereaved from the excessive strictness of the regulations which are then relaxed that he may not be exceeded in person by them The twentieth year relaxes them still further and the seventieth limits mourning to the color of the dress A mother is honored equally with a father When Lord Macartney saw the emperor the latter was thirty

LIU KUO LU where Confucius appeared These books are the groundwork of the history the manners and the laws of China

This empire early attracted the attention of Europeans although only vague stories about it had reached them It was always marvelled at as a country which self-originated appeared to have no connection with the outer world

In the thirteenth century a Venetian (Marco Polo) explored it for the first time but his reports were deemed fabulous In later times everything that he had said respecting its extent and greatness was entirely confirmed By the lowest calculation China has 150 000 000 inhabitants another makes the number 200 000 000 and the highest raises it even to 300 000 000 From the far north it stretches toward the south to India on the east it is bounded by the vast

their mode of life The population and the thor

are some of the highest functionaries Two ministers constantly in attendance on the emperor are commissioned to keep a journal of everything the emperor does command and says and their notes are then worked up and made use of by the historians We cannot go further into the minutiae of their annals which as they themselves exhibit no development would only hinder us in ours Their history ascends to very ancient times in which Fohi is named as the diffuser of culture he having been the original civilizer of China He is said to have lived in the twenty ninth century before Christ—before the

western corner—China proper—towards that point where the Hwang Ho descends from the mountains for only at a later period did the

in the woods when they fed on the fruits of the

earth and clothed themselves with the skins of wild beasts There was no recognition of de

building themselves huts and making dwellings He is said to have directed their attention to the change and return of seasons to barter and trade to have established marriage to have said that reason came from heaven and to have given

ject of these various origins The progress of the history is the extension of the culture thus originated to the south and the beginning of a state and a government The great empire which had thus gradually been formed was soon broken up into many provinces which carried on long wars with each other and were then re-united into a whole The dynasties in China have often been changed and the one now dominant is generally marked as the twenty second In connection with the rise and fall of the dynasties are the different capital cities that are found in this empire For a long time Nanking was the capital now it is Peking at an earlier period other cities China has been compelled to wage many wars with the Tartars who penetrated far into the country The long wall built by Shih Hsing Ti and which has always been regarded as a most astounding achievement was raised as a barrier against the incursions of the northern nomads This prince divided the whole empire into thirty six provinces and made himself especially remarkable by his attacks on the old literature especially on the historical books and historical studies generally He did this with the design of strengthening his own dynasty by destroying the remembrance of the earlier one After the historical books had been collected and burned many hundreds of the literati fled to the mountains in order to save what remained Every one that fell into the emperor's hands experienced the same fate as the books This book burning is a very important circumstance for in spite of it the strictly canonical books were preserved as is generally the case The first connection of China with the West occurred about 64 A.D. At that epoch a Chinese emperor despatched ambassadors (it is said) to visit the wise men of the West Twenty years later a Chinese general is reported to have penetrated as far as Judea At the beginning of the eighth century after Christ the first Christians are reputed to have gone to China of which visit later visitors assert

eight years old (sixty years is among the Chinese a fundamental round number as one hundred is among us) notwithstanding which he visited his mother every morning on foot to demonstrate his respect for her. The New Year's congratulations are offered even to the mother of the emperor and the emperor himself cannot receive the homage of the *grandeues* of the court until he has paid his to his mother. The latter is the first and constant counsellor of her son and all announcements concerning his family are made in her name. The merits of a son are ascribed not to him but to his father. When on one occasion the prime minister asked the emperor to confer titles of honour on his father the emperor issued an edict in which it was said:

Famine was desolating the empire. Thy father gave rice to the starving. What beneficence! The empire was on the edge of ruin. Thy father defended it at the hazard of his life. What fidelity! The government of the kingdom was intrusted to thy father. he made excellent laws, maintained peace and concord with the neighboring princes and asserted the rights of my crown. What wisdom! The title therefore which I award to him is: beneficent, faithful and wise. The son had done all that is here ascribed to the father. In this way ancestors, in a fashion the reverse of ours, obtain titles of honour through their posterity. But in return every father of a family is responsible for the transgressions of his descendants: duties ascend but none can be properly said to descend.

It is a great object with the Chinese to have children who may give them the due honours of burial, pay respect to their memory after death and decorate their grave. Although a Chinese may have many wives, one only is the mistress of the house and the children of the subordinate wives have to honor her absolutely as a mother. If a Chinese husband has no children by any of his wives, he may proceed to adoption with a view to this posthumous honour. For it is an indispensable requirement that the grave of parents be annually visited. Here lamentations are annually renewed and many, to give full vent to their grief, remain there sometimes one or two months. The body of a deceased father is often kept three or four months in the house and during this time no one may sit down on a chair or sleep in a bed. Every family in China has a hall of ancestors where all the members annually assemble: there are placed representations of those who have filled exalted posts while the names of those men and women who have been of less importance in the family are

who had become a Christian having ceased to honor his ancestors in this way exposed himself to great persecutions on the part of his relatives. The same minuteness of regulation which prevails in the relation between father and children characterizes also that between the elder brother and the younger ones. The former has though in a less degree than parents claims to reverence.

This family basis is also the basis of the constitution if we can speak of such. For although the emperor has the right of a monarch standing at the summit of a political edifice, he exercises it paternally. He is the patriarch and everything in the state that can make any claim to reverence is attached to him. For the emperor is chief both in religious affairs and in science—a subject which will be treated of in detail further on. This paternal care on the part of the emperor and the spirit of his subjects—who like children do not advance beyond the ethical principle of the family circle and can gain for themselves no independent and civil freedom—makes the whole an empire administration and social code which is at the same time moral and thor-

rough the government and must himself be acquainted with and direct the legislative business of the Empire although the tribunals give their assistance. Notwithstanding this there is little room for the exercise of his individual will for the whole government is conducted on the basis of certain ancient maxims of the empire while his constant oversight is not the less necessary. The imperial princes are therefore educated

evaluation is conducted under the emperor's superintendence. The emperor must a

An examination of the princes takes place every year and a circumstantial report of the affair is published throughout the whole empire which feels the deepest interest in the matters. China has therefore succeeded in getting the greatest and best governors to whom the expression Solomonian wisdom might be applied and the present Manchu dynasty has especially distinguished

self by abilities of mind and body. All the ideals of princes and princely education which have been so numerous and varied since they appeared of Fenelon's *Télémaque* are realized here. In Europe there can be no Solomons. But here are the place and the necessity for such government in the extent of the prosperity the several fall depends on the competence

rank for in China civilians take precedence of the military. Government officials are educated at the schools. Elementary schools are instituted for obtaining elementary knowledge. Institutions for high cultivation such as our universities may perhaps be said not to exist. Those who wish to attain high official posts must undergo several examinations—usually three in number. The third and last examination is which the emperor himself presides over only those can be admitted who have passed the first and second with credit and the reward for having succeeded

is no elevated rank in nobility. The Chinese only the princes of the imperial household and the sons of the mandarins enjoy any precedence of this kind, and they rather by their position than by their birth. Otherwise all are equal and only the scholar has in the administration of affairs who has ability for it. Official stations are the result occupied by men of the greatest intellect and education. The Chinese state has consequently been often set up as an ideal which may serve as a model for us.

Things to be desired is the dominion of the emperor. We cannot speak in reference to China of constitutionalism, which would imply that individuals are incorporated in the dependence of the state—partly in respect of the emperor

and the introduction into the system of the red and the black

organization and administration of government. Besides this the mandarins are said to have a talent for poetry of the most refined order. We have the means of judging of this particularly

of the army also must have some mental acquirements they too are examined but civil functionaries enjoy as stated above far greater respect. At the great festivals the emperor appears with a retinue of two thousand doctors and mandarins in civil offices and the same number of military mandarins. (In the whole Chinese state there are about 15,000 civil and

equivalent of the differences that exist are possible only in connection with that administration, and in reference to the worth which person may acquire enabling him to fill a high post in the government. Since equality prevails in China but with its any freedom in despotism necessary the mode of government. Among us men are equal in before the law and in the respect paid to property for each but they have also many interests and peculiar privileges which must be guaranteed, if we are to have what we all need. But in the Chinese Empire these peculiarities are very considerable. Their own count and the government proceeds from the emperor himself who sets in motion as a hierarchy of officials and mandarins. Of these there are two kinds—learned and military mandarins—the latter corresponding to our officers. The learned mandarins constitute the higher

when the emperor himself examines them. The functionaries are divided into eight classes. The first are those that attend the emperor then follow with ceremonies and so on. The emperor governs by means of administrative bodies for the most part composed of mandarins. The council of the emperor is the highest body of the kind; it consists of the most learned and talented men. From these are chosen the presidents of the three colleges. The greatest publicity prevails in the business of government. The ubiquitous officials report to the council of the emperor and the latter lay the matter before the emperor who sends a decree made known in the court journal. The emperor often accuses himself of faults and his officials have been unsuccessful in the examination he blames them severely in every ministry and in various parts of the empire. There is a census (K. 100)

who has to give the emperor an account of everything. These censors enjoy a permanent office and are very much feared. They exercise a strict surveillance over everything that concerns the government and the public and private conduct of the mandarins and make their report immediately to the emperor. They have also the right of remonstrating with and blaming him. Chinese history gives many examples of the noble mindedness and courage of these Ko taos. For example, A censor had remonstrated with a tyrannical sovereign but had been severely repulsed. Nevertheless, he was not turned away from his purpose but betook himself once more to the Emperor to renew his remonstrances. Foreseeing his death, he had the coffin brought in with him in which he was to be buried. It is related of the censors that cruelly lacerated by the torturers and unable to utter a sound, they have even written their animadversions with their own blood in the sand. These censors themselves form yet another tribunal which has the oversight of the whole empire. The mandarins are responsible also for performing duties arising from unforeseen exigencies in the state. If famine, disease, conspiracy, religious disturbances occur, they have to report the facts, not however to wait for further orders from government, but immediately to act as the case requires. The whole of the administration is thus covered by a network of officials. Functionaries are appointed to superintend the roads, the rivers, and the coasts. Everything is arranged with

signed to secure the land from inundations. The gates of every town are guarded by a watch, and the streets are barred all night. Government officers are always answerable to the higher council. Every mandarin is also bound to make known the faults he has committed every five years and the trustworthiness of his statement is at tested by a board of control—the censorship. In the case of any grave crime not confessed, the mandarins and their families are punished most severely. From all this it is clear that the emperor is the centre around which everything turns; consequently, the well being of the country and people depends on him. The whole hierarchy of the administration works more or less according to a settled routine, which in a peaceful condition of things becomes a convenient habit. Uniform and regular, like the course of nature, it goes its own way at one time as at another time, but the emperor is required to be the moving

ever wakeful spontaneously active soul. If then the personal character of the emperor is not of the order described—namely, thoroughly moral, laborious and while maintaining dignity, full of energy—everything is relaxed and the government is paralyzed from head to foot and given over to carelessness and caprice. For there is no other legal power or institution extant but this superintendence and oversight of the emperor. It is not their own conscience, their own honour which keeps the offices of government up to their duty, but an external mandate and the severe sanctions by which it is supported. In the instance of the revolution that occurred in the middle of the seventeenth century, the last emperor of the dynasty was very amiable and honourable, but through the mildness of his character the reins of government were relaxed and disturbances naturally ensued. The rebels called the Manchus into the country. The emperor killed himself to avoid falling into the hands of his enemies, and with his blood wrote on the border of his daughter's robe a few words in which he complained bitterly of the injustice of his subjects. A mandarin who was with him buried him, and then killed himself on his grave. The empress and her attendants followed the example. The last prince of the imperial house who was besieged in a distant province fell into the hands of the enemy and was put to death. All the other attendant mandarins died a voluntary death.

Passing from the administration to the *jurisprudence* of China, we find the subjects regarded as in a state of nonage, in virtue of the principle of patriarchal government. No independent classes or orders, as in India, have interests of their own to defend. All is directed and superintended from above. All legal relations are definitely settled by rules, free sentiment, the moral standpoint generally is thereby thoroughly obliterated. It is formally determined by the laws in what way the members of the family should be disposed towards each other, and the transgression of these laws entails in some cases severe punishment. The second point to be noticed here is the legal externality of the family relations which becomes almost slavery. Every one has the power of selling himself and his children; every Chinese buys his wife. Only the chief wife is a free woman. The concubines are slaves and like the children and every other chattel may be seized upon in case of confiscation.

A third point is that punishments are generally corporal chastisements. Among us this would

be an insult to honour not so in China where the feeling of honour has not yet developed itself. A dose of cudgelling is the most easily got on yet it is the severest punishment for a man of honour who deserves not to be esteemed

denaming us for correct reprimand. It is at improvement that which is retributive implies entailed imputation of guilt. In the course the deterring principle is only the fear of punishment not an consciousness of wrong.

Here we cannot presume upon any reflection upon the nature of the action itself. Among the Chinese all crimes those committed against the laws of the family relation as well as against the law are punished externally. So those who fail in paying due honour to their father or mother or younger brothers who are not sufficiently respectful to elders are bastinadoed. If a son complains of injustice done to him by his father or younger brother by the elder he receives a hundred blows with a bamboo and is banished for three years. *It is the right* of the father to be so. If a son should raise his hand against his father he is demanded to have his flesh torn from his body with red-hot pincers. The relation between husband and wife is like all other familial relations very highly esteemed and unfaithfulness—which however is common in the seclusion in which the women are kept—causes every self in present itself—meets with severe animadversion. Similar penalties await the exhibit on the part of a Chinese if guilty of reflection on his inferior wives than to the matron who betrays her establishment should the latter complain of such disparagement. In China, every mandarin is authorized to inflict blows with the bamboo even the highest and most illustrious—ministers or even eunuchs. If a man strikes himself—are punished in this fashion. The friendship of the Emperor is withdrawn on account of such chastisement and they themselves appear not sensible to be rebuffed. When on occasions the late English embassy to China was conducted back from the palace by the princes and their wives the matter of the ceremonies in the drawing room with its ceremony learned the way may be pronounced as a blessing with a whip.

As regards responsibility the distinction between *propter* and blameless or accidental commission of an act is not established

among the Chinese as much charged with blame as intention. Death is the penalty of accidental homicide. This ignoring of the distinction between accident and intention occasions most of the disputes between the English and the Chinese for should the former be attacked by the latter—should a ship of war be lying itself attacked defend itself and a Chinese be killed as the consequence—the Chinese are accustomed to require that the Englishman who fired the fatal shot should lose his life. Even one who is in any way connected with the transgressor shares especially in the case of crimes against the emperor the ruin of the actual offender all his near kinsmen are tortured to death. The printers of an objectionable book and those who read it, are similarly exposed to the vengeance of the law. The direction which this state of things gives to private revenge is singular. It may be said of the Chinese that they are extremely sensitive to injuries and of a vindictive nature. Tso-tsi-fu has revealed the of

by drawing Fo when anyone has committed su-

the hope that his family will acquire the property of his adversary. Such is the fearful state of things in regard to responsibility and non-responsibility all subjects are freed from and in all concernment with an action are engaged. In the Mosaic Laws where the distinction between *dolus* and *casus* is also yet scarcely recognized this is nevertheless an asylum opened for the innocent in which he may be taken himself.

There is in China distinction in the penal code between high and lower classes. A field marshal of the empire who had every man at his tongue had himself was traded in some account to the emperor and the punishment for the alleged crime was that he should be a spy upon those who did not fulfil their duty in clear

ing away the snow from the streets

Among the legal relations of the Chinese we have also to notice changes in the rights of possession and the introduction of slavery which is connected there with it. The soil of China in which the chief possessions of the Chinese consist was regarded only at a late epoch as essentially the property of the state. At that time the ninth of all moneys from estates was allotted by law to the emperor. At a still later epoch serfdom was established and its enactment has been ascribed to the Emperor Shih Huang Ti who in the year 213 B.C. built the Great Wall who had all the writings that recorded the ancient rights of the Chinese burned and who brought many independent principalities of China under his dominion. His wars caused the conquered lands to become private property and the dwellers on these lands serfs. In China however the distinction between slavery and freedom is necessarily not great since all are equal before the emperor.

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ment is connected the great immorality of the Chinese. They are notorious for deceiving wherever they can. Friend deceives friend and no one resents the attempt at deception on the part of another if the deceit has not succeeded in its object or comes to the knowledge of the person sought to be defrauded. Their frauds are most astutely and craftily performed so that Europeans have to be punfully cautious in dealing with them. Their consciousness of moral abandonment shows itself also in the fact that the religion of Fo is so widely diffused a religion which regards as the highest and absolute—as

the highest

We come then to the consideration of the religious side of the Chinese polity. In the patriarchal condition the religious evaluation of man has merely a human reference—simple moral

which is its sanction. Except in these simple aspects all the relations of the natural world the postulates of subjectivity of heart and soul are entirely ignored. The Chinese in their patriarchal despotism need no such connection or mediation with the highest Being for education the laws of morality and courtesy and the com-

mands and government of the emperor embody all such connection and mediation as far as they feel the need of it. The emperor as he is the supreme head of the state is also the chief of its religion. Consequently religion in China is essentially state religion. The distinction between it and Lamaism must be observed since the latter is not developed to

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what we call religion. F

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this retirement is able to release himself from the power of secular government. But in China religion has not risen to this grade for true faith is possible only where individuals can seclude themselves can exist for themselves independently of any external compulsory power. In China the individual has no such life does not enjoy this independence in any direction he is therefore dependent in religion as well as in other things that is dependent on objects of nature of which the most exalted is the material heaven. On this depend harvest the seasons of the year the abundance and sterility of crops. The emperor as crown of all the embodiment of power alone approaches heaven individuals as

invokes blessings on the sowing of the seed. This heaven might be taken in the sense of our term God as the Lord of nature (we say for example 'Heaven protect us!') but such a relation is beyond the scope of Chinese thought, for here the one isolated self consciousness is substantial being the emperor himself the supreme power. Heaven has therefore no higher meaning than nature. The Jesuits indeed yielded to Chinese notions so far as to call the Christian God Heaven — Tien but they were on that account accused to the Pope by other Christian orders. The Pope consequently sent a cardinal to China who died there. A bishop who was subsequently despatched enacted that instead of Heaven the term Lord of Heaven should be adopted. The relation to Tien is supposed to be such that the good conduct of individuals and of the emperor brings blessing their transgressions on the other hand cause want and evil of all kinds. The Chinese religion involves that primitive element of magical influence over nature inasmuch as human conduct absolutely deter-

times the course of even... If the emperor be-
 lieves well, prosperity cannot but ensue. Hea-
 ven ordains prosperity. A second end of this
 reason is that as the general aspect of the re-
 ligious Heaven is bound up with the person of
 the emperor, he has also its more special bear-
 ings in his hands, namely, the particular well being
 of individuals and provinces. These have each
 an appropriate genus (*Chên*) which is subject
 to the emperor who pays devotion only to the
 general power of heaven, while the several spirits
 of the natural world follow his laws. He is thus
 made the proper legislator for heaven as well as
 for earth. These genera, each of which enjoys
 a worship peculiar to itself certain culpured
 forms are assigned. These are disgusting idols
 which have not yet attained the dignity of art,
 because of their material is represented in them.
 There are therefore only terms, insignificant and

Book of Fate. A certain meaning is ascribed to
 the combination of such lines and prophetic an-
 nouncement are deduced from this groundwork.
 Or a number of little sticks are thrown into the
 air and the fate in question is prognosticated
 from the way in which they fall. What we regard
 as chance as natural connection, the Chinese
 seek to deduce or attain by magical arts and in
 this particular also their want of spiritual rea-
 son is manifested.

With this deficiency of genuine objects it is
 connected moreover the form which Chinese
 sciences assume. In mentioning Chinese sciences
 we encounter a considerable labour about their
 perfection and antiquity. Approaching the sub-
 ject more closely we see that the sciences enjoy
 very great respect, and that they are even
 publicly extolled and promoted by the govern-
 ment. The emperor himself stands at the head
 of literature. A college exists whose special bu-
 siness is to edit the decrees of the emperor
 with a view to their being composed in the be-
 style and thus redaction assumes the character
 of an important affair of state. The mandarins
 in their publications have to study the same
 perfection of style for the form is expected to
 correspond with the excellence of the matter.

One of the highest governmental boards is the
 academy of sciences. The emperor himself ex-
 amines its members then he is in the palace and
 performs the functions of secretaries, historians
 of the empire, natural philosophers and geo-
 graphers. Should new law be proposed, the academy
 must report upon it. By way of introduc-
 tion to each report it must give the history of ex-
 isting enactments of the law in question af-
 fects foreign countries, a description of them
 required. The emperor himself writes the pre-
 faces to the works thus composed. Among recent
 emperors *K'ien-Lung* especially distinguished
 himself by his scientific acquirements. He him-
 self wrote much, but became more remark-
 able by publishing the principal works that China
 has produced. At the head of the commission
 appointed to correct the press was prince
 of the empire and after this work had passed
 through the hands of all, it came once more
 back to the emperor who ever carefully punished
 every error that had been committed.

Though in one aspect the sciences appear there-
 pre-eminently honoured and fostered, there are
 wanting to them on the other side that free
 ground of subjectivity and that properly scien-
 tific interest, which make them truly theoret-
 ical occupation of the mind. A free dealing, spiri-
 tual kingdom has here no place. What may be

him and never possess an appropriate genus. All
 these spirits are subordinate to the emperor and
 in the annual directory of the Empire are regis-
 tered the functionaries and genera to whom such
 such brook, river, etc., has been assigned.
 If misfortune occurs in any part, the genus is
 deposited, a mandarin would be. The genus has
 considerable temples (in Peking early 1000)
 where many gods, spirits and deities are
 adored. These "bonzes" are unmarried, and in
 various figures are venerated by the Chinese
 for itself. In other respects however neither
 they or the temples are much venerated. Lord
 Marley's embassy was even quartered in
 some such buildings being used as monasteries. The
 emperor has sometimes thought fit to re-
 turn towards these convents to compel
 the bonzes to return to civil life and to remove
 taxes on the estates pertaining to the founda-
 tions. The bonzes, soothsayers and exorcists
 for the Chinese given up to boundless super-
 stitions. They arise from the want of subjective
 independence and presupposes the very opposi-
 tion of freedom of spirit. In every undertaking, e.g.
 in the building of a house, a great effort is to be
 determined, the advice of the soothsayers is
 asked. In the *K'ien-Lung* certain laws are given
 which apply to funeral forms and categories
 of mourning. The book is called the

called scientific is of a merely empirical nature and is made absolutely subservient to the useful on behalf of the state—its requirements and those of individuals. The nature of their written language is at the outset a great hindrance to the development of the sciences. Rather conversely, because a true scientific interest does not exist, the Chinese have acquired no better instrument for representing and imparting thought. They have as is well known beside a spoken language a *written language* which does not express as ours does individual sounds—does not present the spoken words to the eye but represents the ideas themselves by signs. This appears at first sight a great advantage and has gained the suffrages of many great men—among others of Leibnitz. In reality it is anything but such. For if we consider in the first place the effect of such a mode of writing on the spoken language, we shall find this among the Chinese very imperfect on account of that separation. For our spoken language is matured to distinctness chiefly through the necessity of finding signs for each single sound which latter by reading we learn to express distinctly. The Chinese to whom such a means of orthoepic development is wanting do not mature the modifications of sounds in their language to distinct articulations capable of being represented by letters and syllables. Their spoken language consists of an inconsiderable number of monosyllabic words which are used with more than one signification. The sole methods of denoting distinctions of meaning are the connection the accent and the pronunciation—quicker or slower softer or louder. The ears of the Chinese have become very sensible to such distinctions. Thus I find that the word *po* has eleven different meanings according to the tone denoting glass to boil to winnow wheat to cleave asunder to water to prepare an old woman a slave a liberal man a wise person a little.

As to their written language I will specify only the obstacles which it presents to the advance of the sciences. Our written language is very simple for a learner as we analyze our spoken language into about twenty five articulations.

we have to learn only these signs and their combinations. Instead of twenty five signs of this sort the Chinese have many thousands to learn. The number necessary for use is reckoned at 9,353 or even 10,516 if we add those recently introduced and the number of characters gen-

erally for ideas and their combinations as they are presented in books amounts to from 80,000 to 100,000. As to the sciences themselves history among the Chinese comprehends the bare and definite facts without any opinion or reasoning upon them. In the same way their *jurisprudence* gives only fixed laws and their *ethics* only determine duties without raising the question of a subjective foundation for them. The Chinese have however in addition to other sciences a *philosophy* whose elementary principles are of great antiquity since the *king* the *Book of Fates* treats of origination and destruction. In this book are found the purely abstract ideas of unity and duality the philosophy of the Chinese appears therefore to proceed from the same fundamental ideas as that of Pythagoras. The fundamental principle recognized is *reason*—*tao* that essence lying at the basis of the whole which effects everything. To become acquainted with its forms is regarded among the Chinese also as the highest science yet this has no connection with the educational pursuits which more nearly concern the state. The works of Lao tsu and especially his work *Tao te ching* are celebrated. Confucius visited this philosopher in the sixth century before Christ to testify his reverence for him. Although every Chinaman is at liberty to study the philosophical works a particular sect calling itself *Tao tse* Honors of Reason makes this study its special business. Those who compose it are isolated from civil life and there is much that is enthusiastic and mystic intermingled with their views. They believe for instance that he who is acquainted with reason possesses an instrument of universal power which may be regarded as all powerful and which communicates a supernatural might so that the possessor is enabled by it to exalt himself to heaven and is not subject to death (much the same as the universal elixir of life once talked of among us). With the works of Confucius we have become more intimately acquainted to him China owes the publication of the *Kings* and many original works on morality besides which form the basis of the customs and conduct of the Chinese. In the principal work of Confucius which has been translated into English are found

sciences they are not regarded as such but rather as branches of knowledge for the behoof

of the people. The Chinese have many thousands to learn. The number necessary for use is reckoned at 9,353 or even 10,516 if we add those recently introduced and the number of characters gen-

of practical ends. The Chinese are far behind in mathematics, physics and astronomy notwithstanding their quondam reputation in regard to them. They knew many things at a time when Europeans had not discovered them, but they have not understood how to apply their knowledge, as, e.g., the magnet and the art of printing. But they have made no advance in the application of these discoveries. In the latter situation, they continue to engrave the letters in wooden blocks and then print them off; they know nothing of movable types. Gunpowder too they pretended to have invented before the Europeans, but the Jesuits were obliged to find their first cannon. As to mathematics they understand well enough how to reckon but the higher aspects of the science is unknown. The Chinese also have long possessed a great astronomical observatory, and investigated their acquisitions in this department, and discovered that they possess some ancient records and tables of lunar and solar eclipses but these certainly do not constitute a science. The question is in question are not covered so in detail, but they cannot properly be put in the category of knowledge. In the *Sik Kong* we have two eclipses of the sun mentioned in the space of 100 years. The best evidence of the state of astronomy among the Chinese is the fact that for many hundred years the Chinese calendars have been made by Europeans. In earlier times, when Chinese astronomy continued to compose the calendar, solar and lunar eclipses often occurred, enabling the execution of the authors. The telescopes which the Chinese have received, presented from the Europeans, are set up for ornament but they have not an idea how to make further use of them. Medicine too is studied by the Chinese but only empirically and the grovelling superstition is connected with its practice. The Chinese have as a general characteristic a remarkable skill in imitation which is exercised not merely in daily life but also in art. They have not yet succeeded in representing the beautiful as beautiful in their painting, perspective and shadow are wanting. And although Chinese painters copy European pictures (as the Chinese do everything else) correctly although he observes accurately how many scales a carp has, how many indentations there are in the leaves of a tree, what is the form of various trees, and how the branches bend—the exalted, the dead and beautiful is not the domain of his art and skill. The Chinese are on the other hand, too proud to learn anything from Europeans, although they must often

recognize their superiority. A merchant in Canton had a European ship built, but at the command of the government it was immediately destroyed. The Europeans are treated as beggars because they are compelled to leave their home, and seek for support elsewhere than in their own country. Besides the Europeans, just because of their intelligence have not yet been able to imitate the superficial and perfectly natural cleverness of the Chinese. Their preparation of varnishes, their workmanship of metals, and especially their art of casting them extremely thin, their porcelain manufacture and many other things have not yet been completely mastered by Europeans.

This is the character of the Chinese people in its various aspects. Its distinguishing feature is, that everything, which belongs to spirit—an unconstrained morality in practice and theory—

that they are born able to drag the car of imperial power. The burden which presses them to

functions.

Section II INDIA

India like China is a people in whom antique as well as modern is which has remained stationary and fixed, and has received a most perfect home-sprung development. It has always been the land of imaginative aspiration and appears to us still as a fairy region, an enchanted world. In contrast with the Chinese state which presents only the most prosaic understanding India is the region of fantasy and sensibility. The point of advance in principle which it exhibits to us may be generally stated as follows: In China the patriarchal principle rules a people in

a condition of nonage the part of whose moral resolution is occupied by the regulating law and the moral oversight of the emperor. Now it is the interest of spirit that *external* conditions should become *internal* ones that the natural and the spiritual world should be recognized in the subjective aspect belonging to intelligence by which process the unity of subjectivity and being generally—or the idealism of existence—is established. This idealism then is found in India but only as an idealism of imagination without distinct conceptions—one which does indeed free existence from beginning and matter

itself as an occasional concomitant this happens only through accidental combination. Since however it is the abstract and absolute thought itself that enters into these dreams as their material we may say that absolute being is presented here as in the ecstatic state of a dreaming condition. For we have not the dreaming of an actual individual possessing distinct personality and simply unfettering the latter from limitation but we have the dreaming of the unlimited absolute spirit.

There is a beauty of a peculiar kind in women in which their countenance presents a transparency of skin a light and lovely roseate hue which is unlike the complexion of mere health and vital vigor—a more refined bloom breathed as it were by the soul within—and in which the features the light of the eye the position of the mouth appear soft yielding and relaxed. This almost unearthly beauty is perceived in women in those days which immediately succeed childbirth when freedom from the burden of pregnancy and the pains of travail is added to the joy of soul that welcomes the gift of a beloved infant. A similar tone of beauty is seen also in

is already rising to the regions of the blessed but once more as it were lights up her dying countenance for a farewell kiss. Such a beauty we find also in its loveliest form in the Indian world a beauty of enervation in which all that is rough rigid and contradictory is dissolved and we have only the soul in a state of emotion a soul however in which the death of free self-reliant spirit is perceptible. For should we approach the charm of this flower life a charm rich in imagination and genius in which its whole

environment and all its relations are permeated by the rose breath of the soul and the world is transformed into a garden of love—should we look at it more closely and examine it in the light of human dignity and freedom—the more attractive the first sight of it had been so much the more unworthy shall we ultimately find it in every respect.

The character of spirit in a state of dream as the generic principle of the Hindu nature must be further defined. In a dream the individual ceases to be conscious of self as *such* in contradistinction from objective existences. When awake I exist for myself and the rest of creation is an external fixed objectivity as I myself am for it. As external the rest of existence expands itself to a rationally connected whole a system of relations in which my individual being is itself a member—an individual being united with that totality. This is the sphere of *Understanding*. In the state of dreaming on the contrary this separation is suspended. Spirit has ceased to exist for itself in contrast with alien existence and thus the separation of the external and individual dissolves before its universality—its *essence*. The dreaming Indian is therefore all that we call finite and individual and at the same time as infinitely universal and unlimited a something intrinsically divine. The Indian view of things is a universal pantheism a pantheism however of imagination not of thought. One substance pervades the whole of things and all individualizations are directly vitalized and animated into particular powers. The sensuous matter and content are in each case simply and in the rough taken up and carried over into the sphere of the universal and immeasurable. It is not liberated by the free power of spirit into a beautiful form and idealized in the spirit so that the sensuous might be a merely subservient and compliant expression of the spiritual but is expanded into the immeasurable and undefined and the divine is thereby made bizarre confused and ridiculous. These dreams are not mere fables a play of the imagination in which the soul only revelled in fantastic gambols it is lost in them hurried to and fro by these reveries as by something that exists really and seriously for it. It is delivered over to these limited objects as to its lords and gods. Everything therefore sun moon stars the Ganges the Indus beasts flowers everything is a god to it. And while in this deification the finite loses its consistency and substantiality intelligent conception of it is impossible. Conversely the divine regarded as es-

THE ORIENTAL WORLD

entirely changeable and unfixed, also by the base form which it assumes defiled and made absurd. In this universe I deification of all finite existence and consequent degradation of the deity the deity of the incarnation of God is of a particularly important concept. The parrot though with the peacock alike wise incarnations of God yet are not therefore elevated above the nature. The deity is not indualized to a subject to create spirit but degraded to vulgarity and nescience. Thus Jesus a general deity of the Indian view of the universe though as much stripped of rationality of finite content stability of cause and effect as many of the deities of the Indian dualism of personality and deity.

Extremely India is a fold relation to the history of the world. In recent times the discovery has been made that the Sanskrit lies at the foundation of all those former developments which form the languages of Europe.

importance bound up with the fate of nations. Those wishes have been realized this land of desire has been attained there is scarcely any great nation of the east nor of the modern world to do itself a detriment.

this land from rivers only circuitous through the other side by way of the sea which as has been said is the general unit of countries. The English or rather the East India Company are the lords of the land for its necessary fate of Asiatic empires to be subjected to Europeans.

English troops they pay since the country of the Marathas was conquered by the English no part of India has asserted its independence of the way. They have already gained a footing in the Burman Empire and possess the British.

formed and regarded which they have done the better for India. Let me tell of culture. The spread of Indian culture is a patriotic history limited to that which makes essential epoch the development of spirit. On the whole the diffusion of Indian culture is only a double-edged sword upon that is a political tool. The people of India have cherished a foreign quest but have been erroneously quashed them. As the old way northern India has been entirely forgotten. The product of the river philosophy diffused on India. Land of desire from essential element in general history. For the most part times down the Indian nation has directed the wheel and long in the ganges to the treasures of this land. India is the most costly which the earth presents. The treasures of nature—people, diamonds, pearls, precious stones, leopards, lions, etc.—all so treasures of the world. The by which these treasures have passed to the west has at times been most of the world's historical

Ganges and extending in the direction of Persia. To the northeast Hindostan is bounded by the Himalaya which have been ascertained by European to be the highest mountain range in the world. Its summits are about 6000 feet above the level of the sea. On the other side of the mountain the level again declines the dominion of the Chinese extends to that point where the English wished to go to Lhasa to the Dalai Lama. They were prevented by the Chinese. Towards the west of India flows the Indus in which the five rivers are united which is called the *Pentap* (Punjab) to which Alexander the Great penetrated. The dominion of the English does not extend to the Indus the sect of the Sikhs inhabits that district which constitutes the highly democratic and which has broken off from the Indian as well as from the Mohammedan ligno and occupy no territory underground—acknowledging only one emperor. Being they are powerful nation and have extended to subject on Kabul and Kashmir. Besides these the edifice of the Indus govern

vine Indian tribes of the warrior caste. Between the Indus and its twin brother the Ganges are great plains. The Ganges on the other hand forms large kingdoms around it in which the sciences have been so highly developed that the countries around the Ganges enjoy a still greater reputation than those around the Indus. The Kingdom of Bengal is especially flourishing. The Nerbudda forms the boundary between the Deccan and Hindostan. The peninsula of the Deccan presents a far greater variety than Hindostan and its rivers possess almost as great a sanctity as the Indus and the Ganges—which latter has become a general name for all the rivers in India as the River *κατ' ἐξ ἑν*. We call the inhabitants of the great country which we have now to consider *Indians* from the river *Indus* (the English call them *Hindus*). They themselves have never given a name to the whole for it has never become one empire and yet we consider it as such.

With regard to the *political* life of the Indians we must first consider the advance it presents in contrast with China. In China there prevailed an equality among all the individuals composing the empire consequently all government was absorbed in its centre the emperor so that individual members could not attain to independence and subjective freedom. The next degree in advance of this unity is difference maintaining its independence against the all subduing power of unity. An organic life requires in the first place one soul and in the second place a divergence into differences which become organic members and in their several offices develop themselves to a complete system in such a way however that their activity reconstitutes that one soul. This freedom of separation is wanting in China. The deficiency is that diversities cannot attain to independent existence. In this respect the essential advance is made in India in that independent members ramify from the unity of despotic power. Yet the distinctions which these imply are referred to nature. Instead of stimulating the activity of a

stereotyped character condemn the Indian people to the most degrading spiritual serfdom. The

give rise to particular classes so combined however that their members can maintain their individuality. In India we have only a division in masses—a division however that influences the whole political life and the religious consciousness. The distinctions of class like that unity in China remain consequently on the same original grade of *substantiality* i.e. they are not the result of the free subjectivity of individuals. Examining the idea of a state and its various functions we recognize the first essential function as that whose scope is the absolutely universal of which man becomes conscious first in religion then in science. God the divine is the absolutely universal. The highest class therefore will be the one by which the divine is presented and brought to bear on the community—the class of *Brahmans*. The second element or class will represent subjective power and valour. Such power must assert itself in order that the whole may stand its ground and retain its integrity against other such totalities or states. This class is that of the warriors and governors—the *Ashatthriyas* although Brahman often become governors. The third order of occupation recognized is that which is concerned with the peculiarities of life the satisfying of its necessities and comprehends agriculture crafts and trade the class of the *Vaisyas*. Lastly the fourth element is the class of service the mere instrument for the comfort of others whose business it is to work for others for wages affording a scanty subsistence—the caste of *Sudras*. This servile class properly speaking constitutes no special organic class in the state because its members only serve individuals their occupations are therefore dispersed among them and are consequently attached to that of the previously mentioned castes. Against the existence of classes generally an objection has been brought especially in modern times drawn from the consideration of the state in its aspect of abstract equality. But equality in civil life is something absolutely impossible for individual distinctions of sex and age will always assert themselves and even if an equal share in the government is accorded to all citizens women and children are immediately passed by and remain excluded. The distinction between poverty and riches the influence of skill and talent can be as little ignored—utterly refuting those abstract assertions. But while this principle leads us to put up with vari-

erty of occupations and distinctness of the classes to which they are intrusted, we are in India by the peculiar circumstance that the individual belongs to such a class essentially by birth and is bound to it for life. All the concrete that makes its appearance links back —

Idea of these distinctions are here attributed to nature — Idea which the East

st classes have arisen from the union of the various classes. Polygamy necessarily tends to this. A Brahman, e.g. is allowed three wives from the three higher castes provided he has first taken one of his own. The offspring of such mixtures originally belonged to the caste but of the kings introduced a method of classifying these casteless persons which included also the commencement of arts and manufactures. The children in question were assigned to particular employments. One section became weavers another wrought in iron and thus different classes arose from these different occupations. The highest of these mixed castes consists of those who are born from the marriage of a Brahman with a wife of the warrior caste. The lowest is that of the Chandalas who have to remove corpses to secure criminals do perform impure offices generally. The members of this caste are excluded from communion and detested and obliged to live separated from association with others. The Chandalas are obliged to move out of the way for the superior and Brahman may knock down any that neglect to do so. If a Chandala drinks out of a pond it is defiled, and requires to be consecrated afresh.

We must next consider the relative position of these castes. The origin is ascribed to a myth which tells us that the Brahman caste proceeded from Brahma's mouth, the warrior caste from his arms, the industrial classes from his loins, the rural caste from his feet. Many historians have set up the hypothesis that the Brahmins originally formed a separate sacerdotal nation and this is especially untenable as evidenced by the Brahmins themselves. A people consisting of priests alone is assuredly the greatest absurdity for we know *priori* that a distinction of classes can exist only within a

community does not choose his particular position for himself but receives it from nature. In China the people are dependent without distinction —

positions to the choice of the governing body —

that although the son of a mechanic becomes a mechanic the son of a peasant a peasant and freeborn is often limited by many restrictions. The circumstances the *ligous condition* is tied with an absolute value by religion. In India the contrary is the case. Another distinction between the classes of society as they exist in the Christian world and those in Hindustan is the moral dignity which exists among us in every class of station that which man must possess in and through himself. In this respect the higher classes are equal to the lower and while eligibility is the higher sphere in which all sum themselves equally before the law rights of person and property are equal for every class. But by the fact that in India

as already observed differences extend not only to the objectivity of spirit but also to its absolute subjectivity and thus exhaust all its relations—neither morality nor justice nor religiosity is to be found

Every caste has its especial duties and rights

is a virtue the Hindus say on the contrary

Bravery is the virtue of the *Kshatriyas* Humanity generally human duty and human feeling do not manifest themselves we find only duties assigned to the several castes Everything is petrified into these distinctions and over this petrification a capricious destiny holds sway Morality and human dignity are unknown evil passions have their full swing the spirit wanders into the dream world and the highest state is annihilation

To gain a more accurate idea of what the *Brahmans* are and in what the Brahmanical dignity consists we must investigate the Hindu religion and the conceptions it involves to which we shall have to return further on for the respective rights of castes have their basis in a religious relation *Brahma* (neuter) is the Supreme in religion but there are besides chief divinities *Brahma* (masc) *Vishnu* or *Krishna* incarnate in infinitely diverse forms and *Siva* These form a connected trinity *Brahma* is the highest but *Vishnu* or *Krishna* *Siva* the sun moreover the air etc are also *Brahm* the substantial unity To *Brahm* itself no sacrifices are offered it is not honoured but prayers are presented to all other idols *Brahm* itself is the substantial unity of all The highest religious position of man therefore is being exalted to *Brahm* If a Brahman is asked what *Brahm* is he answers When I fall back within myself and close all external senses and say *om* to myself that is *Brahm* Abstract unity with God is realized in this abstraction from humanity An abstraction of this kind may in some cases leave everything else unchanged as does devotional feeling momentarily excited But among the Hindus it holds a negative position towards all that is concrete and the highest state is supposed to be this exaltation by which the Hindu raises himself to deity The Brahmins in virtue of their birth are already in possession of the divine The distinction of castes involves therefore a distinction between present deities and mere limited mortals The other castes may likewise become partakers in a regeneration but they must subject themselves to immense

self denial torture and penance Contempt of life and of living humanity is the chief feature in this asceticism A large number of the non-Brahmanical population strive to attain regeneration They are called *Yogis* An Englishman who on a journey to Tibet to visit the Dalai Lama met such a *yogi* gives the following account They *yogi* was already on the second grade in his ascent to Brahmanical dignity He had passed the first grade by remaining for twelve years on his legs without ever sitting or lying down At first he had bound himself fast to a tree with a rope until he had accustomed himself to sleep standing The second grade required him to keep his hands clasped together over his head for twelve years in succession Already his nails had almost grown into his hands The third grade is not always passed through in the same way generally the *yogi* has to spend a day between *five fires* that is between four fires occupying the four quarters of heaven and the sun He must then swing backwards and for

the blood streamed forth from every part of the devotee's body he was taken down and presently died If this trial is also surmounted the aspirant is finally buried alive that is put into the ground in an upright position and quite covered over with soil after three hours and three quarters he is drawn out and if he lives he is supposed to have at last attained the spiritual power of a Brahman

Thus only by such negation of his existence does anyone attain Brahmanical power In its highest degree this negation consists in a sort of hazy consciousness of having attained perfect mental immobility—the annihilation of all emotion and all volition a condition which is regarded as the highest among the Buddhists also However pusillanimous and effeminate the Hindus may be in other respects it is evident how little they hesitate to sacrifice themselves to the highest—to annihilation Another instance of the same is the fact of wives burning themselves after the death of their husbands Should a woman contravene this traditional usage she would be severed from society and perish in solitude An Englishman states that he also saw a woman burn herself because she had lost her child He did all that he could to divert her away from her purpose at last he applied to her husband who was standing by but he showed himself perfectly indifferent as he had more wives at home Sometimes twenty women are seen

throwing themselves a-bath into the Ganges, and on the Himalaya range an English traveller found three women seeking the source of the Ganges, in order to put an end to their life in his holy river. A religious festival in the celebrated temple of Jummah in Orissa, on the Bay of Bengal, where millions of Hindus assemble. The image of the god Vishnu is drawn in procession on a car about five hundred men set in motion, and moving themselves down by means of wheels to be crushed to pieces. The wheels are already strewed with the bodies of persons who have thus immolated themselves. Life and is also very common in India. Mothers throw their children into the Ganges, or let them pass away under the rays of the sun. The moment which is involved in reverse of human life is not found among the Hindus. There are but few already mentioned, many modifications of the same principle of conduct, all pointing to annihilation. This is the leading principle of the gymnosophists, as the Greeks called them. Naked sages wander about without any occupation, like the mendicant friars of the Catholic Church. Eye on the aims of others and make it their aim to reach the highest degree of abstraction—the perfect dissolving of consciousness—point from which the transition to physical death is no great step.

This elevation which others can only attain by some labour is already admitted birthright of the Brahmins. The Hindus of another caste will reverence the Brahmin as they fall down before him and say to him, "Thou art God." And his eyes on conduct have a more direct influence on moral conduct, but much as all the equal in rank is absent is rather dependent on a farago of observances relating to mere externalities and trivialities of life. Human life is said ought to be perpetual worship of God. I wonder how know both general principles are when we consider the observances which they make assume. They require an ever a further qualification, if they are to have meaning. The Brahmins are present day but their immutability has never been reflected in contrast with the world and thus that which is purely indifferent is treated as of absolute importance. The eternal principle of the Brahmins consists principally in the reading of the Vedas, they only have a right to read them. Were they to read the Vedas or hear them read, he would be severely punished, and burning oil must be poured into his ears. The external observances binding on

the Brahmins are prodigiously numerous and the laws of Manu treat of them as the most essential part of duty. The Brahmin must rest on one particular foot in many cases, he is a river, his hair and nails must be cut in neat curves, his whole body painted, his garments white in his hand must be a staff of a sacred kind in his ears golden earrings. If the Brahmin meets a man of an inferior caste, he must turn back and punish himself. He has also to read in the Vedas, in various ways as a sword separately or doubling them alternately or backwards. He may not look to the sun when rising or setting or when overtaken by cloud or reflected in the water. He is forbidden to step on a stone to which a calf is fastened, or to go on when a rattle. He may not look at his wife when he eats, sneezes, gins, or is quietly seated. At the midday meal he may only have one garment on, in

time they may not look at the sun, at water or
 at a woman.

power, cotton seeds, a few leaves of corn, or his urine. In the episode Nala in the poem of Mahabharata we have story of a virgin who in her 21 year the 21 in which the maidens themselves have a right to choose a husband, make selection from among her wooers. There are five of them but the maiden remarks that four of them do not stand firmly on their feet, and thence it is correctly that they are god. She therefore chooses the fifth who is a mortal man. Besides the five degraded divisions there are two malevolent ones whom her choice had no favour, and who on this account wish for revenge. They therefore keep a strict watch on the husband if their beloved in every step and act of life, with the design of inflicting injury upon him if he commits a misdemeanor. The perfect husband does nothing that can be brought against him, until he is so incutious as to step on his wife. The goddess has now an advantage over him, he affects him with a passion for gambling and so plunges him into the abyss.

While on the one hand the Brahmans are subject to these strict limitations and rules on the other hand their life is sacred it cannot answer for crimes of any kind and their property is equally secure from being attacked. The severest penalty which the ruler can inflict upon them amounts to nothing more than banishment. The English wished to introduce trial by jury into India the jury to consist half of Europeans half of Hindus and submitted to the natives whose wishes on the subject were consulted the powers with which the panel would be intrusted. The Hindus were for making a number of exceptions and limitations. They said among other things that they could not consent that a Brahman should be condemned to death not to mention other objections *e.g.* that looking at and examining a corpse was out of the question. Although in the case of a warrior the rate of interest may be as high as three per cent in that of a Vaisya four per cent a Brahman is never required to pay more than two per cent. The Brahman possesses such a power that heaven's lightning would strike the king who ventured to lay hand on him or his property. For the meanest Brahman is so far exalted above the king that he would be polluted by conversing with him and would be dishonored by his daughters choosing a prince in marriage. In Manu's code it is said: If anyone presumes to teach a Brahman his duty the king must order that hot oil be poured into the ears and mouth of such an instructor. If one who is only once born load one who is twice born with reproaches a red hot iron bar ten inches long shall be thrust into his mouth. On the other hand a Sudra is condemned to have a red hot iron thrust into him from behind if he rests himself in the chair of a Brahman and to have his foot or his hand hewed off if he pushes against a Brahman with hand or feet. It is even permitted to give false testimony and to lie before a court of justice if a Brahman can be thereby freed from condemnation.

As the Brahmans enjoy advantages over the other castes the latter in their turn have privi-

ileges. They are free to marry whom they please and to divorce their wives at pleasure. At the great religious festivals they go among the people and choose those that please them best but they also repudiate them at pleasure.

If a Brahman or a member of any other caste transgresses the above cited laws and precepts he is himself excluded from his caste and in order to be received back again he must have a hook bored through the hips and be swung repeatedly backwards and forwards in the air. There are also other forms of restoration. A rajah who thought himself injured by an English governor sent two Brahmans to England to detail his grievances. But the Hindus are forbidden to cross the sea and these envoys on their return were declared excommunicated from their caste and in order to be restored to it they had to be born again from a golden cow. The imposition was so far lightened that only those parts of the cow out of which they had to creep were obliged to be golden the rest might consist of wood. The various usages and religious observances to which every caste is subject have occasioned great perplexity to the English especially in enlisting soldiers. At first these were taken from the Sudra caste which is not bound to observe so many ceremonies but nothing could be done with them they therefore betook themselves to the Kshatriya class. These however have an immense number of regulations to observe they may not eat meat touch a dead body drink out of a pool in which cattle or Europeans have drunk not eat what others have cooked etc. Each Hindu assumes one definite occupation and that only so that one must have an infinity of servants a lieutenant has thirty a major sixty. Thus every caste has its own duties the lower the caste the less it has to observe and as each individual has his position assigned by birth beyond this fixed arrangement everything is governed by caprice and force. In the code of Manu punishments increase in proportion to the inferiority of castes and there is a distinction in other respects. If a man of a higher caste brings an accusation against an inferior without proof the former is not punished if the converse occurs the punishment is very severe. Cases of theft are exceptional in this caste the higher the caste the heavier is the penalty.

In respect to property the Brahmans have a great advantage for they pay no taxes. The prince receives half the income from the land of others the remainder has to suffice for the cost of cultivation and the support of the labor

of another caste even when in danger. The other castes esteem it a great honour when a Brahman takes their daughters as his wives—a thing however which is permitted him as already stated only when he has already taken one from his

etc. It is an extremely important question, whether the cultivated land in India is recognized as belonging to the cultivator or belongs to a so-called manorial proprietor. The English themselves had great difficulty in establishing a clear understanding about it. For when they conquered Bengal, it was of great importance to them to determine the mode in which taxes were to be raised on property and they had to ascertain whether there should be imposed on the tenant cultivators or the lord of the soil. They imposed the tribute on the latter but the result was that the proprietors acted in the most arbitrary manner drove away the tenant cultivators and declaring that such a small amount of land was not under cultivation, gained an abatement of tribute. They then took back the expelled cultivators as day labourers at a low rate of wages and had the land cultivated on their own behalf. The whole income belonging to every village was already divided into two parts, of which one belongs to the rajah, the other to the cultivators but proportionate shares are also received by the priest of the place the judge the writer the surgeon the Brahman who superintends religious worship the astrologer (who is also Brahman and announces the days of good and ill omen) the smith the carpenter the potter the washerman the barber the physician the dancing girls the musician the poet. This arrangement is fixed and immutable and subject to no change. All gods and devotions were formerly united in reference to the common Hindu for the lot is unchanged.

The view given of the religion of castes leads directly to the subject of religion. For the Hindus are as already remarked, of merely sensual but even all religions and the Brahmins in the elevated domain are the very gods bodily present in the life of Man. It is said that the Hindu even in extreme adversity beware of exciting the Brahmins against him for they can destroy him with their power—they who create fire sun moon, etc. They are servants of God not of his people but are God himself. The other castes—a position of things which contradicts the perceived character of the Hindu mind. The dreaming imagery of myth and superstition which has a monster in bewilderingness in regard to all phenomena and relations we have already recognized as the principle of the Hindu spirit. The Hindu mythology is therefore full of wild extravagance of fancy in which nature in its second form which takes its abode from the element to the highest,

come to the most disgusting

and apply it to the Indian Brahmins. The former constituting one

W O R L D
brahms. The English have taken a good deal of trouble to find out what Brahms properly is. Wilford has asserted that Hindu conception recognize two heavens the first the earthly paradise the second, heaven in spiritual sense. To attain them two different modes of worship are supposed to be required. The one in old external ceremonies idol worship the other requires that the universal Being should be honoured in spirit. Sacrifices purifications pilgrimages are not needed in the latter. This authority states moreover that there are few Hindus ready to pursue the second way because they cannot understand in what the pleasure of the second heaven consist, and that if one asks a Hindu whether he worships idol, everyone says "Yes" but to the question, Do you worship the Supreme Being everyone answers "No". If the further question is put, "What is the meaning of this practice of yours that silent meditation which some of your learned men speak of?" they respond, "When I pray to the honour of one of the gods I sit down, the foot of either leg on the thigh of the other look towards heaven, and calmly elevate my thoughts with my hands folded in silence then I say I am Brahms the Supreme Being. We are not conscious to ourselves of being Brahms, by reason of Maya (the delusion occasioned by the outward world). I is

my love leads then into our own process of thought, we should call Brahms the pure unadorned thought in itself—God in the composition of his existence. It becomes reconsecrated ohm, and it receives no worship similar to the Catholic religion. The Churches are not dedicated to God, but to the saints. Other Earthly men, who have devoted themselves to investigating the conception of Brahms have thought Brahms to be an unchanging eternal, applied to all gods so that Vishnu says I am Brahms and the sun, the air the seas are called Brahms. Brahms would on this supposition be substance in its simplicity

While on the one hand the Brahmins are subject to these strict limitations and rules on the other hand their life is sacred it cannot answer for crimes of any kind and their property is equally secure from being attacked. The severest penalty which the ruler can inflict upon them amounts to nothing more than banishment. The English wished to introduce trial by jury into India the jury to consist half of Europeans half of Hindus and submitted to the natives whose wishes on the subject were consulted the

other things that they could not consent that a Brahman should be condemned to death not to mention other objections e.g. that looking at and examining a corpse was out of the question. Although in the case of a warrior the rate of interest may be as high as three per cent in that of a Vaisya four per cent a Brahman is never required to pay more than two per cent. The

highest Brahman is so far exalted above the king that he would be polluted by conversing with him and would be dishonored by his daughters choosing a prince in marriage. In Manu's code it is said: If anyone presumes to teach a Brahman his duty the king must order that hot oil be poured into the ears and mouth of such an instructor. If one who is only once born load one who is twice born with reproaches a red hot iron bar ten inches long shall be thrust into his mouth. On the other hand a Sudra is condemned to have a red hot iron thrust into him from behind if he rests himself in the chair of a Brahman and to have his foot or his hand hewed off if he pushes against a Brahman with hand or feet. It is even permitted to give false testimony and to lie before a court of justice if a Brahman can be thereby freed from condemnation.

As the Brahmins enjoy advantages over the other castes the latter in their turn have privileges according to precedence over their inferiors. If a Sudra is defiled by contact with a Pariah he has the right to knock him down on the spot. Humanity on the part of a higher caste towards an inferior one is entirely forbidden and a Brahman would never think of assisting a member of another caste even when in danger. The other

own caste. Thence arise the freedom the Brahmins enjoy in getting wives. At the great religious festivals they go among the people and choose those that please them best but they also repudiate them at pleasure.

If a Brahman or a member of any other caste transgresses the above cited laws and precepts he is himself excluded from his caste and in order to be received back again he must have a hook bored through the hips and be swung repeatedly backwards and forwards in the air. There are also other forms of restoration. A rajah who thought himself injured by an English governor sent two Brahmins to England to detail his grievances. But the Hindus are forbidden to cross the sea and these envoys on their return were declared excommunicated from their caste and in order to be restored to it they had to be born again from a golden cow. The imposition was so far lightened that only those parts of the cow out of which they had to creep were obliged to be golden the rest might consist of wood. The various usages and religious observances to which every caste is subject have occasioned great perplexity to the English especially in enlisting soldiers. At first these were taken from the Sudra caste which is not bound to observe so many ceremonies but nothing could be done with them they therefore betook themselves to the Kshatriya class. These however have an immense number of regulations to observe they may not eat meat touch a dead body drink out of a pool in which cattle or Europeans have drunk not eat what others have cooked etc. Each Hindu assumes one definite occupation and that only so that one must have an infinity of servants a lieutenant has thirty a major sixty. Thus every caste has its own duties the lower the caste the less it has to observe and as each individual has his position assigned by birth beyond this fixed arrangement everything is governed by caprice and force. In the code of Manu punishments increase in proportion to the inferiority of castes and there is a distinction in other respects. If a man of a higher caste brings an accusation against an inferior without proof the former is not punished if the converse occurs the punishment is very severe. Cases of theft are exceptional in this case the higher the caste the heavier is the penalty.

In respect to property the Brahmins have a great advantage for they pay no taxes. The prince receives half the income from the lands of others the remainder has to suffice for the cost of cultivation and the support of the labor

only when he has already taken one from his

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ers. It is an extremely important question, whether the cultivated land in India is recognized as belonging to the cultivator or to the landlord.

The English have had to ascertain whether the land should be imposed on the tenant cultivators or the lord of the soil. They imposed the tribute on the latter, but the result was that the proprietors acted in the most arbitrary manner, drove away the tenant cultivators and declaring that such or such an amount of land was no under-cultivated, claimed an abatement of tribute. They then took back the expelled cultivators as day labourers and a state of wars and had the land cultivated on their own behalf. The whole income belonging to every village is as already stated divided into two parts of which one belongs to the rajah, the other to the cultivators, but proportionate shares are also received by the proprietor of the place. The judge of the war survivor to the Brahman who superintends religious worship of the village (who is also a Brahman, and announces the days of good and ill omen), the smith, the carpenter, the potter, the washerman, the barber, the physician, the dancing girls, the musician, the poet. This arrangement is fixed and immutable and subject to no revolution, therefore remains indifferent to the common Hindu for his lot is unaltered.

The view given of the relation of castes leads directly to the subject of religion. For the claims of caste are as already remarked, not merely secular but essentially religious, and the Brahmins in their exalted dignity regard the very gods bodily present in the laws of Manu it is said.

Let the king even in extreme necessity beware of punishing the Brahmins, said him for they can destroy him with their power—they were created by the moon, etc. They are servants of God, of his people, but are God himself in the caste—a position of things which only adds to the perverted character of the Hindu mind. The doctrine, in my opinion, and now which involves monstrous bewilderment in regard to all phenomena and relations we have already recognized as the principle of the Hindu spirit. The Hindu mythology is therefore only a wild extravagance of fancy in which nature has settled firm which takes us abruptly from the meanest to the highest,

and to take our conception of the One—the One—the Creator of heaven and earth—and apply it to the Indian Brahman. Brahman is distinct from Brahma—the former constituting one personality in contrasted relation to Vishnu and Shiva. Many therefore call the supreme essence which is over the first mentioned deity Para-Brahman. The English have taken a good deal of trouble to find out what Brahman proved to be. Wilford has asserted that Hindu conceptions recognize two heavens, the first the earthly paradise the second, heaven in a spiritual sense. To attain them two different modes of worship are supposed to be required. The one in which external ceremonies and worship of the gods are required, that the supreme Being should be honoured in spirit. Sacrifices, purifications, pilgrimages are not needed in the latter. This author says moreover that there are few Hindus ready to pursue the second way because they cannot understand in what the pleasure of the second heaven consists, and that if one asks a Hindu whether he worships God every one says "Yes" but if the question is, "Do you worship the Supreme Being" every one answers "No." If the further question is put, "What is the meaning of that practice of yours that silent meditation which some of your learned men speak of?" they respond, "When I pray to the honours of one of the gods I sit down the foot of one or other leg on the thigh of the other, look towards heaven and calmly elevate my thoughts with my hands folded in front of me then I say I am Brahman, the Supreme Being. We are not conscious to our

adore ourselves. In every case therefore it is only emanations of Brahman that we address. Translating these ideas then into our own process of thought we should call Brahman the pure essence of thought in itself—God in the complement of his existence. Vedantism is consecrated to him and he receives no worship similar to that of Christianity. The Churches are not dedicated to God, but to the saints. Other Englishmen, who have devoted themselves to investigating the conception of Brahman, have thought Brahman to be an unmeaning expression applied to all gods, so that Vishnu says I am Brahman and the sun, the air the seas are called Brahman. Brahman would on this supposition be substantiated in its simplicity

While on the one hand the Brahmins are subject to these strict limitations and rules on the other hand their life is sacred it cannot answer for crimes of any kind and their property is equally secure from being attacked. The severest penalty which the ruler can inflict upon them amounts to nothing more than banishment. The English wished to introduce trial by jury into India the jury to consist half of Europeans half of Hindus and submitted to the natives whose wishes on the subject were consulted the powers with which the panel would be intrusted. The Hindus were for making a number of exceptions and limitations. They said among other things that they could not consent that a Brahmin should be condemned to death not to mention other objections e.g. that looking at and examining a corpse was out of the question. Although in the case of a warrior the rate of interest may be as high as three per cent in that of a Vaisya four per cent a Brahmin is never required to pay more than two per cent. The Brahmin possesses such a power that heaven's lightning would strike the king who ventured to lay hand on him or his property. For the meanest Brahmin is so far exalted above the king that he would be polluted by conversing with him and would be dishonored by his daughters choosing a prince in marriage. In Manu's code it is said: If anyone presume to teach a Brahmin his duty the king must order that hot oil be poured into the ears and mouth of such an instructor. If one who is only once born loads one who is twice born with reproaches a red hot iron bar ten inches long shall be thrust into his mouth. On the other hand a Sudra is condemned to have a red hot iron thrust into him from behind if he rests himself in the chair of a Brahmin and to have his foot or his hand hewed off if he pushes against a Brahmin with hand or feet. It is even permitted to give false testimony and to lie before a court of justice if a Brahmin can be thereby freed from condemnation.

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own caste. Thence arise the freedom the Brahmins enjoy in getting wives. At the great religious festivals they go among the people and choose those that please them best but they also repudiate them at pleasure.

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reflect that in nature is utterly corrupt the are
 sides of character which may be called tender
 and noble. We have Chinese poems in which
 the tenderest relations of love are depicted in
 which delineations of deep emotion of humanity
 modesty propriety rectitude be found and which
 may be compared with the best that European
 literature contains. The same characteristics
 meet us in many Hindu poems but rectitude
 — conscious of in

the *Shantala* is a
 of discovery the Hindu culture was very highly
 rated and as when new beauties are discovered,
 the old ones are commonly looked down upon
 — philosophy

real Deceit and cunning re in all
 characteristics of Hindu Cheating stealing
 robbing murdering going with humbug Hum
 bly croaking and object before and
 lord, he is eckles by baboon st the vanquished
 a subject Characteristics of the Hindu hu
 manity is the fact that he kills a brute animal,
 — he is a brute

specimens of which the fourth is of more recent ori
 gin. They consist partly of religious precepts
 partly of precepts to be observed. Some manu
 scripts of these Vedas have come to Europe
 though in a complete form they are exceedingly
 rare. The writing is on palm leaves scratched in
 with a needle. The Vedas are very difficult to un
 derstand, since they date from the most remote
 antiquity and the language is a much older
 Sanskrit. Colburn has indeed translated a
 — has taken from a com

poo wanders pin away with hunger like
 Brahmins are especially immoral. According to
 English report they do nothing but eat and
 sleep. That is not so bad when they by the
 rules of the order they follow natural impulses
 entirely. When they take any part in public life
 they show themselves as most deceitful
 hypocrites. With those who may have reason to
 fear they are humble enough of which they
 accuse themselves the deponents. I do
 not know how to man himself says an
 English thirty Childen have no respect for
 their parents so much that they

times of the former have been printed
 second volume is extremely rare. Besides these
 works the Puranas must be particularly noted.
 The Puranas contain the history of a god or of
 a temple. They are entirely fanciful. Another
 Hindu classical book is the *Code of Manu*. This
 Hindu lawgiver has been compared with the
 Cretan Minos name which also occurs among
 the Egyptians and certainly this extensive
 collection of the same name is noteworthy and
 cannot be ascribed to chance. Manu's code of

It would be too far to go into detail of
 the Hindu art and science. But we may make
 the general remark, that the more accurate ac
 quaintance with its real value has not little di
 minished the wide reputation of India as
 a land of wisdom. The Hindu principle of
 self-enforcing duty and that duty which
 goes to the opposite extreme of sensuality
 is a defect that things to be tract thought and
 imagination can be developed. Thus e.g. the
 grammar has attained a high degree of co
 nstant regularity but when substantial matter
 in sciences and works of art in quest of
 the least look for it. When the English had
 become masters of the country the work of
 storing light there was the Indian culture was

that pervade the whole. In this respect every
 thing is handed to chance. The principle
 of the result of which is that the most im
 portant traditions, fables and names appear in
 the ending process. The time when Manu's

which by its very nature expands itself into the limitless variety of phenomenal diversities. For this abstraction this pure unity is that which lies at the foundation of all—the root of all definite existence. In the intellection of this unity all objectivity falls away for the purely abstract is intellection itself in its greatest acuity. To attain this self-disappearance and

in the religion of Fo and this is the object of the penances already spoken of.

The complement to the abstract must be

is the then fall outside that abstract unity of thought and as that which deviates from it constitute the variety found in the world of sense the variety of intellectual conceptions in an unreflected sensuous form. In this way the concrete complex of material things is isolated from spirit and presented in wild distraction except as reabsorbed in the pure ideality of Brahm. The other deities are therefore things of sense mountains streams beasts the sun the moon the Ganges. The next stage is the concentration of this wild variety into substantial distinctions and the comprehension of them as a series of divine persons Vishnu Siva Mahadeva are thus distinguished from Brahma. In the embodiment Vishnu are presented those incarnations in which God has appeared as man and which are always historical personages who effected important changes and new epochs. The power of procreation is likewise a substantial embodiment and in the excavations grottoes and pagodas of the Hindus the lingam is always found as symbolizing the male and the lotus the female *vis procreandi*.

With this duality abstract unity on the one side and the abstract isolation of the world of sense on the other side exactly corresponds the double form of worship in the relation of the human subjectivity to God. The one side of this duality of worship consists in the abstraction of pure self-elevation—the abrogation of real self-consciousness—a negativity which is consequently manifested on the one hand in the attainment of torpid unconsciousness—on the other hand in suicide and the extinction of all that is worth calling life by self-inflicted tortures. The other side of worship consists in a wild tumult of excess when all sense of individuality has vanished from consciousness by

immersion in the merely natural with which individuality thus makes itself identical—destroying its consciousness of distinction from nature. In all the pagodas therefore prostitute dancing girls are kept whom the Brahman instruct most carefully in dancing in beautiful postures and attractive gestures and who have to comply with the wishes of all comers at a fixed price. Theological doctrine relation of religion to morality is here altogether out of the question. On the one hand love heaven in short everything spiritual is conceived by the fancy of the Hindu but on the other hand his conceptions have an actual sensuous embodiment and he immolation in religious worship produced in those presented by nature. Every bird every monkey is a

predicates assigned to it for this requires reflection. While a universal essence is wrongly transmuted into sensuous objectivity the latter is also driven from its definite character into universality—a process whereby it loses its footing and is expanded to indefiniteness.

If we proceed to ask how far their religion exhibits the morality of the Hindus the answer must be that the former is as distinct from the latter as Brahm from the concrete existence of which he is the essence. To us religion is the knowledge of that Being who is emphatically our Being and therefore the substance of our knowledge and salvation the proper office of which latter is to be the mirror of this fundamental substance. But that requires this Being to be *in se* a personality pursuing divine aims such as can become the purport of human action. Such an idea of a relation of the Being of God as constituting the universal basis or substance of human action—such a morality can not be found among the Hindus for they have not the spiritual as the import of their consciousness. On the one hand their virtue consists in the abstraction from all activity—the condition they call Brahm. On the other hand every action with them is a prescribed external usage not free activity the result of inward personality. Thus the moral condition of the Hindus (as already observed) shows itself most abandoned. In this all Englishmen agree. Our judgment of the morality of the Hindus is apt to be warped by representations of their mildness tenderness beautiful and sentimental fancy. But we must

looked for among the Hindus. We may explain this deficiency partly from that excitement and debility of the nerves which prevent them from retaining an object in their minds and firmly comprehending it for in the mode of apprehension—insensate and imaginative temperaments changes it into a feverish dream partly from the fact that veracity is the direct contrary to their nature. They even lie knowingly and designedly where misapprehension is one of the questions. As the Hindu point is a state of dream and mental transcendence a self-obliviousness, objects also dissolve for into unreal images and indefinites. This feature is absolutely characteristic and this alone would furnish us with a clear idea of the spirit of the Hindus from which it that has been said might be deduced.

Buddhism is always of great importance for people and by means of that it becomes conscious of the path of development taken by its own spirit, which expresses itself in laws, manners, customs and deeds. Laws come rising moral and judicial institutions are by nature the permanent element in people's existence. Buddhism prevents people with their own image in mind, on which thereby becomes objects of them. We know that their existence in time is bound self in—end—the recurring play of reality and its manifestation in manifold forms. History and its interest on attention to this of recurrent current is in the form of reality and, by so doing, poses a directive and restrictive result. It is an essential instrument in development and determining the constitution—that is, a social political condition of it is the empirical method of producing the universal, inasmuch as it sets up a permanent object of the conceptive powers. It is because the Hindus have history in the form of annals (*histories*) that they have history in the form of transcriptions (the) that is growth expanding in the political condition.

Periods of time are mentioned in the Hindu writings and large numbers which have been ascertained by astronomical means but which have still a few errors. *Varanasi*. Thus it is related of certain kings that they had reigned 1000 years, or more. Brahma the first figure in the cosmogony and self-proclaimed, is said to have reigned 1000 years. Innumerable names of kings are cited—among them the incarnations of Vishnu. It would be ridiculous to regard persons of this kind as anything historical. In their poems kings are often talked of these may have been historical personages but they

completely sink in fable e.g. they return from the world, and then appear again after they have passed ten thousand years in solitude. The numbers in question therefore have not the value and rational meaning which we attach to them.

Consequently the oldest and most reliable sources of Indian history are the notices of Greek authors after Alexander the Great had opened the way to India. From them we learn that their institutions were the same at that early period as they are now. *Santaro* (Chandragupta) is marked out as a distinguished ruler in the northern part of India to which the Bactrian kingdom extended. The Mohammedan historians supply another source of information for the Mohammedans began their migrations as early as the tenth century. A Turkish slave was the ancestor of the Ghaznavi race. His son Mahmud made an incursion into Hindustan and conquered almost the whole country. He fixed his royal residence west of Kabul and at his court lived the poet Ferdousi. The Ghaznavid dynasty was soon entirely exterminated by the sweeping attacks of the Afghans and Moguls. In later times nearly the whole of India has been subjected to the Europeans. What the force is known of Indian history has for the most part been communicated through foreign channels—the native literature gives only indistinct data. Europeans avail us of the possibility of wading through the masses of Indian statements. More definite information may be obtained from inscriptions and documents especially from the deeds of gifts of land to paradas and districts but this kind of evidence supplies names only. Another source of information is the astronomical literature which is of high antiquity. C. Lebrun thoroughly studied these writings though it is very difficult to procure manuscripts since the Brahmans keep them very close, they are more over disfigured by the grossest interpolations. It is found that the statements with regard to calculations are often contradictory and that the Brahmans interpolate these ancient works with events belonging to their own time. The Hindus do indeed possess lists and enumerations of their kings but these all refer to the most

conscious in respect to truth. Captain Wilford had procured manuscripts from all quarters with great trouble and expense he assembled a con-

code was composed is also entirely unknown and undetermined. The traditions reach beyond twenty three centuries before the birth of Christ—a dynasty of the Children of the Sun is mentioned on which followed one of the Children of the Moon. This much however is certain that the code in question is of high antiquity and an acquaintance with it is of the greatest importance to the English as their knowledge of Hindu law is derived from it.

After pointing out the Hindu principle in the distinctions of caste in religion and literature we must also mention the mode and form of their *political* existence—the polity of the Hindu state. A state is a realization of spirit such that in it the self-conscious being of spirit the freedom of the will is realized as law. Such an institution then necessarily presupposes the consciousness of free will. In the Chinese state the moral will of the emperor is the law but so that subjective inward freedom is thereby repressed and the law of freedom governs individuals only as from without. In India the primary aspect of subjectivity—that of the imagination—presents a union of the natural and spiritual in which nature on the one hand does not present itself as a world embodying reason nor the spiritual on the other hand as consciousness in contrast with nature. Here the antithesis in the principle is wanting. Freedom both as *abstract* will and as *subjective* freedom is absent. The proper basis of the state, the principle of freedom is altogether absent: there can not therefore be any state in the true sense of the term. This is the first point to be observed if China may be regarded as nothing else but a state. Hindu political existence presents us with a people but *no state*. Secondly while we found a moral despotism in *China* whatever may be called a relic of political life in *India* is a despotism *without a principle* without any rule of morality and religion for morality and religion (as far as the latter has a reference to human action) have as their indispensable condition and basis the freedom of the will. In India therefore the most arbitrary wicked degrading despotism has its full swing. China, Persia, Turkey in fact Asia generally is the scene of despotism and in a bad sense of tyranny but it is regarded as contrary to the due order of things and is disapproved by religion and the moral consciousness of individuals. In those countries tyranny rouses men to resentment they detest it and groan under it as a burden. To them it is an accident and an irregularity not a necessity it *ought not to*

exist. But in India it is normal for here there is no sense of personal independence with which a state of despotism could be compared and which would raise revolt in the soul nothing approaching even a resentful protest against it is left except the corporeal smart and the pain of being deprived of absolute necessities and of pleasure.

In the case of such a people therefore that which we call in its double sense *history* is not to be looked for and here the distinction between China and India is most clearly and strongly manifest. The Chinese possess a most minute history of their country and it has been already remarked what arrangements are made in China for having everything accurately noted down in their annals. The contrary is the case in India. Though the recent discoveries of the treasures of Indian literature have shown us what a reputation the Hindus have acquired in geometry astronomy and algebra—that they have made great advances in philosophy and that among them grammar has been so far cultivated that no language can be regarded as more fully developed than the Sanskrit—we find the department of *history* altogether neglected or rather non-existent. For history requires understanding—the power of looking at an object in an independent objective light and comprehending it in its rational connection with other objects. The peoples therefore are alone capable of history and of prose generally who have arrived at that period of development (and can make that their starting point) at which individuals comprehend their own existence as independent *i.e.* possess self-consciousness.

The Chinese are to be rated at what they have made of themselves looking at them in the entirety of their state. While they have thus attained an existence independent of nature they can also regard objects as distinct from themselves as they are actually presented in a definite form and in their real connection. The Hindus on the contrary are by birth given over to an unyielding destiny while at the same time their spirit is exalted to ideality so that their mind exhibit the contradictory processes of a dissolution of fixed rational and definite conceptions in their ideality and on the other side a degradation of this ideality to a multifariousness of sensuous objects. This makes them incapable of writing history. All that happens is dissipated in the minds into confused dreams. What we call historical truth and veracity—intelligent thorough comprehension of events and fidelity in representing them—nothing of this sort can be

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so the character of the Hindu is a clear idea of the spirit of the Hindus from which all that has been said might be deduced.

But history is always of great importance for people since by means of that it becomes clear of the path of development taken by its own spirit which expresses itself in laws, manners, customs, and deeds. Laws comprise morals and judicial institutions are by nature the permanent element in peoples' existence. But history presents people with their own image in a condition which the events become subject to them. Without history the ancient is in the blindness of self-illusion—the eternal play of arbitrary illusion in manifold forms. History fixes and imparts tendency to the future. The current gives the form of universality and so does go to direct and restrict the future. It is an essential instrument in development and determining the future—that is, rational political institution for the eternal method of producing the universal system has it is up to the permanent object of the concepts of power. It is because the Hindus have history in the form of annals (*histories*) that they have history in the form of institutions (*as g t*) that is, growth with expansion and development of political institutions.

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Consequently the oldest and most reliable sources of Indian history are the notices of Greek authors after Alexander the Great had opened the way to India. From them we learn that their institutions were the same at that early period as they are now. Santaracottus (Ch. dragupta) is marked out as a distinguished ruler in the northern part of India to which the Bactrian kingdom extended. The Mohammedan historians supply another source of information for the Mohammedans began the reigns as early as the tenth century. A Turkish slave was the ancestor of the Ghazni race.

India's destiny was once entirely exterminated by the sweeping attacks of the Afghans and Moguls. In later times nearly the whole of India has been subjected to the Europeans. What therefore is known of India's history is for the most part been communicated through foreign channels. The national literature gives only indistinct data. Europeans assure us of the impossibility of wading through the morasses of Indian statements. More definite information may be obtained from inscriptions and documents especially from the deeds of gifts of land to pagodas and districts but this kind of evidence supplies names only. Another source of information is the astronomical literature which shows of high antiquity. Colebrooke thought highly of these writings though it is very difficult to procure manuscripts. The Brahmins keep them very close they are more or less figured by the grossest interpolations. It is found that the statement is with regard to constellations often contradictory and that the Brahmins interpolate these ancient works with the entire belief in their own time. The Hindus do indeed possess lists of numbers of the Hindu kings but these also are of the most capricious character for we often find twenty kings more or less than in another and build the history on the basis that they could not tell the history. The Brahmins have no opinion in respect to truth. Captain Wilford had produced manuscripts from which the great trouble and expense he assembled a canon.

siderable number of Brahmins and commissioned them to make extracts from these works and to institute inquiries respecting certain remarkable events—about Adam and Eve the Deluge etc. The Brahmins to please their employer produced statements of the kind required but there was nothing of the sort in the manuscripts. Wilford wrote many treatises on the subject till at last he detected the deception and saw that he had labored in vain. The Hindus have it is true a fixed era they reckon

time. There were nine pearls at the court of Vicramaditya say the Brahmins but we can not discover the date of this brilliant epoch. From various statements the year 1491 B.C. has been contended for others adopt the year 50 B.C. and this is the commonly received opinion.

five or even eight or nine kings of that name in India so that on this point also we are thrown back into utter uncertainty.

When the Europeans became acquainted with India they found a multitude of petty kingdoms at whose head were Mohammedan and Indian princes. There was an order of things very nearly approaching feudal organization and the kingdoms in question were divided into districts having as governors Mohammedans or people of the warrior caste of Hindus. The business of these governors consisted in collecting taxes and carrying on wars and they thus formed a kind of aristocracy the prince's council of state. But only as far as their princes are feared and excite fear have they any power and no obedience is rendered to them but by force. As long as the prince does not want money he has troops and neighboring princes if they are inferior to him in force are often obliged to pay taxes but which are yielded only on compulsion. The whole state of things therefore is not that of repose but of continual struggle while moreover nothing is developed or furthered. It is the struggle of an energetic will on the part of this or that prince against a feebler one the history of reigning dynasties but not of peoples a series of perpetually varying intrigues and revolts—not indeed of subjects against their rulers but of a prince's son for instance against his father of brothers uncles and nephews in contest with each other and of functionaries against their master. It

might be believed that though the Europeans found such a state of things this was the result of the dissolution of earlier superior organizations. It might for instance be supposed that the period of the Mogul supremacy was one of prosperity and splendour and of a political condition in which India was not distracted religiously and politically by foreign conquerors. But the historical traces and lineaments that accidentally present themselves in poetical descriptions and legends bearing upon the period in question always point to the same divided condition—the result of war and of the instability of political relations while contrary representations may be easily recognized as a dream a mere fancy. This state of things is the natural result of that conception of Hindu life which has been exhibited and the conditions which it necessitates. The wars of the sects of the Brahmins and Buddhists of the devotees of Vishnu and of Siva also contributed their quota to this confusion. There is indeed a common character pervading the whole of India but its several states present at the same time the greatest variety so that in one Indian state we meet with the greatest effeminacy—in another on the contrary we find prodigious vigour and savage barbarity.

If then in conclusion we once more take a general view of the comparative condition of India and China we shall see that China was characterized by a thoroughly unimaginative understanding a prosaic life amid firm and definite reality while in the Indian world there is so to speak no object that can be regarded as real and firmly defined none that was not at its first apprehension perverted by the imagination to the very opposite of what it presents to an intelligent consciousness. In China it is the moral which constitutes the substance of the laws and which is embodied in external strictly determinate relations while over all hovers the patriarchal providence of the emperor who like a father cares impartially for the interest of his subjects. Among the Hindus on the contrary instead of this unity diversity is the fundamental characteristic. Religion war handicraft trade yes even the most trivial occupations are parcelled out with rigid separation—constituting as they do the import of the one will which they involve and whose various requirements they exhaust. With this is bound up a monstrous irrational imagination which attaches the moral value and character of men to an infinity of outward actions as empty in point of intellect as of feeling sets aside all respect

the welfare of man, and even makes a duty of the cruellest and severest contravention of it. Those distinctions being rigidly maintained nothing remains for the universal will of the state but pure caprice against whose omnipotence only the fixed caste-distinctions afford protection. The Chinese in their prosaic rationality reverence as the highest, only the abstract supreme lord, and they exhibit a contemptibly superstitious respect for the fixed and definite Ancestral Hinduism. There is no such person so far as it presents an antithesis to understanding rather than life and ideas are one unbroken superstition, because among them all is reverie and consequent enervation. Annihilation—the abandonment of all reason, morality and subjectivity—can only come to a positive feeling and consciousness of itself by extra-moral boundaries wildly imagined in which, like a desolate spirit it finds no rest nor settled composition though it can content itself in no other way as a man who is quite reduced in body and spirit finds his existence altogether stupid and intolerable and is driven to the creation of a dream world and delirious blindness.

Section II (Continued)

INDIA Buddhism

forms comprising at the same time the coarsest sensuality and anticipations of the profoundest thought and on that every creature as far as free and rational reality is concerned, sunk in the most self-abandoned helplessness slavery in which the abstract forms into which concrete human life is divided have become stereotyped, and human in his and culture has been made wholly dependent upon these distinctions. In contrast with this inanimate dream life which in the sphere of reality is bound fast in chains we have the awakened dream life which, on the other hand, is rude than the former—as it has ranged even so far as to make this distinction of modes of life—but for the same reason has not sunk into the lethargy which this entails. It keeps itself free more independently firm in itself as well as of the world.

As in Hegel's original lecture on the first lecture the transition from India Brahminism to Buddhism occupies the place assigned here, and as this position of the chapter on Buddhism gives the text in recent editions, a detachment from the place which previously occupied attention here will appear and select justified.—Ed.

consequently compressed into simpler conceptions.

The spirit of the phase just indicated, is involved in the same fundamental principle as that assigned to Hindu conceptions but it is more concentrated in itself its religion is simpler and the accompanying political condition more calm and settled. This phase comprehends peoples and countries of the most varied complexion. We regard it as embracing Ceylon Farther India with the Burman Empire Siam, Annam—north of that Tibet and further on the Chinese upland with its various populations of Mongols and Tartars. We shall not examine the special and dualities of these peoples but merely characterize their religion which contains the most interesting of their existence. The religion of these peoples is *Buddhism* which is the most widely extended religion.

phase of Lamaism. In China—their religion (Foeism) received a great extension and introduced a monastic life—it occupies the position of an integral element of the Chinese principle. As the substantial form of religion which characterizes China develops itself on to unity of secular national life which degrades in dualism to a position of constant dependence religion also remains in a state of dependence. The element of freedom is wanting to it for its object is the principle of nature in general—the eternal universal matter. But the truth of this alienated form of spirit is idealism; the elevation above the limitation of nature and its existence at large—the return of consciousness.

limitation that hampers their consciousness in the religion—which may be generally described

concentration of spirit to the infinite and must first present itself under theological conditions. It is contained in the fundamental forms that thingness is the principle of all things—that all proceeded from and returns to thingness. The various forms found in the world re only

siderable number of Brahmins and commissioned them to make extracts from these works and to institute inquiries respecting certain remarkable events—about Adam and Eve the Deluge etc The Brahmins to please their employer produced statements of the kind required but there was nothing of the sort in the manuscripts Wilford wrote many treatises on the subject till at last he detected the deception and saw that he had labored in vain The Hindus have it is true a fixed era they reckon from Vicramaditya at whose splendid court lived Kalidasa

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time The

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Vicramaditya say the Brahmins but we can not discover the date of this brilliant epoch From various statements the year 1491 B C has been contended for others adopt the year 50 B C and this is the commonly received opinion Bentley's researches at length placed Vicramaditya in the twelfth century B C But still more recently it has been discovered that there were five or even eight or nine kings of that name in India so that on this point also we are thrown back into utter uncertainty

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the and patriarchal Where they take any part
in history we find them occasioning impulses
that have only been the groundwork of his tor
ical development. There is therefore little to be
said about the political administration of the
lamas A vizier has charge of the secular do
minion and reports everything to the lama the
government is simple and lenient and the ven
eration which the Mongols pay to the lama e
presses itself chiefly in the requesting counsel of
him in political affairs

Section III PERSIA

raculous power from the being they call
God they look only for spiritual purity and
the bestowal of spiritual benefits Buddha has
in cover the express names Son of Souls
Sea of Virtue the Great Teacher Those
who have become acquainted with the Tashi
Lama depict him as a most excellent person of
the calmest temper and most devoted to medita
tion Thus also do the lama worshippers regard
him They see in him man continually occupied
with religion, and when he directs his at
tention to what is human does so only to im
part consolation and encouragement by his
blessing and by the exercise of mercy and the
best of all his responsibilities These lamas lead
thoroughly isolated life and have a feminine
rather than masculine training Early training from
the mothers of his parents the lama is generally

illuminated and beautiful child He is brought
up in perfect quiet and solitude in kind of
prison he is well treated and remains without
any of the childish pleasures that is not sur
prising that feminine susceptibility prevails
in his character The Grand Lamas have
and retain inferior lamas as servants of the
great fraternalities in Tibet every inferior who has
four sons is obliged to dedicate one to a con
ventual life The Mongols who are especially
devoted to Lamaism, this modification of Bud
dism has the great respect for all that possesses
life They live chiefly on vegetables and revolt
from killing any animal, even a mouse Thus a
hip of the lama has supplanted Shamanism
that is the religion of so many The Shan
priests of the steppes, introduce themselves
with strong drinks and dances and while in
this state perform their ceremonies fall ex
hausted on the ground, and utter words which
pass for magical Since Buddhism and Lamaism
have taken the place of the Shaman religion, the
life of the Mongols has been completely prescrip

tion—the two great nations of the Far East a
readily ascertained—belong to the strictly As
iatic namely the Mongolian race and conse
quently possess a quite peculiar character dis
crepant from ours the nations of the Near East
belong to the Caucasian and the European
stock They are related to the West while the
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characteristics pervade every single feature
of society

With the Persians Empire we first enter a
continuous history The Persians are the first
historical people Persia was the first empire
that passed away While China and India re
mained stationary and perpetuate national
egotism we can trace even to the present time
this land has been subject to the successive de
velopments and revolutions which all manifest
a historical continuity The Chinese and the
Median Empires assert a place in the historical
series only on their own account for us But
here in Persia first arises that light which hu
manity and illuminates what is a soul for
Zoroaster's light belongs to the world of con
sciousness—not spirit as a relation to something
different from itself We see in the Persian world

only to excite them to become powerful for

modifications of procession. If an analysis of these various forms were attempted they would lose their quality for in themselves all things are one and the same inseparable essence and this essence is nothingness. The connection of this with the metempsychosis can be thus explained: all is but a change of form. The inherent infinity of spirit infinite concrete self dependence is entirely separate from this universe of phenomena. Abstract nothingness is properly that which lies beyond finite existence—what we may call the Supreme Being. This real principle of the universe is, it is said, in eternal repose and in itself unchangeable. Its essence consists in the absence of activity and volition. For nothingness is abstract unity with itself. To obtain happiness therefore man must seek to assimilate himself to this principle by continual victories over himself and for the sake of this do nothing wish nothing desire nothing. In this condition of happiness therefore vice or virtue is out of the question for the true blessedness is union with nothingness. The more man frees himself from all speciality of existence the nearer does he approach perfection and in the annihilation of all activity in pure passivity he attains complete resemblance to Fo. The abstract unity in question is not a mere futurity—a spiritual sphere existing beyond our own—it has to do with the present—it is truth for man and ought to be realized in him. In Ceylon and the Burman Empire—where this Buddhist faith has its roots—there prevails an idea that man can attain by meditation to exemption from sickness old age and death.

But while this is the *negative* form of the elevation of spirit from immersion in the objective to a subjective realization of itself this re-

importance in what determinate form spirit is conceived. When we speak of spirit as universal we know that for us it exists only in an inward conception but to attain this point of view to appreciate spirit in the pure subjectivity of thought and conception is the result of a longer process of culture. At that point in history at which we have now arrived the form of spirit is not advanced beyond immediateness. God is conceived in an immediate unreflected form not in the form of thought—objectively. But this immediate form is that of humanity. The sun the stars do not come up to the idea of spirit but man seems to realize it and he as *Buddha Gautama Fo*—in the form of a depart-

ed teacher and in the living form of the *Great Lama*—receives divine worship. The abstract understanding generally objects to this idea of a god man alleging as a defect that the form here assigned to spirit is an immediate one—that in fact it is none other than man in the concrete. Here the character of a whole people is bound up with the theological view just indicated. The *Mongols*—a race extending throughout the whole of central Asia as far as Siberia where they are subject to the Russians—worship the *Lama* and with this form of worship a simple political condition a patriarchal life is closely united for they are properly a nomad people and only occasionally are commotions excited among them when they seem to be beside themselves and eruptions and inundations of various hordes are occasioned. Of the lamas there are three the best known is the *Dalai Lama* who has his seat at Lhasa in the kingdom of Tibet. A second is the *Tashi Lama* who under the title of *Pan chen rin po che* resides at Tashi Lhunpo there is also a third in southern Siberia. The first two lamas preside over two distinct sects of which the priests of one wear yellow caps those of the other red. The wearers of the yellow caps—at whose head is the *Dalai Lama* and among whose adherents is the Emperor of China—have introduced celibacy among the priests while the red sect allow their marriage. The English have become considerably acquainted with the *Tashi Lama* and have given us descriptions of him.

The general form which the spirit of the Lamaistic development of Buddhism assumes is that of a living human being while in the original Buddhism it is a deceased person. The two hold in common the relationship to a man. The idea of a man being worshipped as God especially a living man has in it something paradoxical and revolting but the following considerations must be examined before we pronounce judgment respecting it. The conception of spirit involves its being regarded as inherently intrinsically universal. This condition must be particularly observed and it must be discovered how in the systems adopted by various peoples this universality is kept in view. It is not the individuality of the subject that is revered but that which is universal in him and which among the Tibetans Hindus and Asiatics generally is regarded as the essence pervading all things. This substantial unity of spirit is realized in the *lama* who is nothing but the form in which spirit manifests itself and who does not hold this spiritual essence as his peculiar property.

western declivity lies Pers (Farsistan) high r to the north Kurdistan—bey nd thus Armenia. Thence extend in outhwest rly direct on the river districts of the Tigris and the Euphrates. The elements of the Persian Empire a e the Zend race—the old P rsees next the Assyrian Median and Babylonian Empire in the region mentio ed but th Persian Empire also includes Asia Minor Egypt and Syria with its line of coast and thus ombin s the upland, the valley plains and the coast region.

Chapter 1 The Zend People

The Zend people deriv ed the r nam from the language in whi th *Zend Books* e written the canonical books o which the ch-ion of the ancient P ees is founded. Of this re En of the Parsees r F e w rshippe there

Zoroaster called Z roast by the Greeks wrote his religious books in the Ze d language. Until early the la t third of th ghteenth entury this languag and all th writings composed in t were entirel unknown t Europeans when t length the celebrated F en hman, Anquetil Duperron da los d to u these ri h treasures. Filled with an enthusia mfo th Oriental w rld, which his po erty did t allow him to gratify he enlisted in F ench c rps that was bo t to sail for India. He thus reached B mbay where he met with the P rsees and entered o the dy f their religious dea. With indescribable difficulty h eeded in obtaining th ir reli gious books making his way int their litera ture d thus opening an entirely ew and wide fild f esear h, but wh h wing t his impe fect acquaintan e with the language still waits th rough n est gati n.

Wher the Zend people mentioned in the re linous books of Zo oast li ed, is difficult to determin. In Media and P rsia the religi f Zo oaster prevailed, and Xenophon relates that Cyrus dopt d t but non f this countri was the proper hab tat of th Zend people. Zoro ter himself calls t th pure Aryan we find mila name in H od us f h says that th Medes were forme ly call d Ari—a nam with h h the des nation Ira connected. South of the Oxus run m unt in ham in the an cient B ctrians—a th which th levated plains commen e that we e hab ted by the Medes the Parthians and th Hyrcanians. In the dis-

trict watered by the Oxus at the commencement of ts course Bactra pr bably the modern Balkh said to ha e been situ ted from which Kabul and Kashmir a e distant only about eight days journey. Here in Bactriana appe rs to ha e been the seat of the Zend people. In the time of Cyrus we find the pu e and original faith nd the ancient political and social relations uch as they are described in the Zend books no longer perfect. Thus much ppears certain that the Zend language which is connected with the n knt was the languag of the P rsians Medes and B ctrians. The laws and institut ons of the people bear an evident stamp of great simplicity. Four cla es are mentio ned priests warriors

actments

The chief point that which espe ally con c rns us here is the doctrine of Zo oaster. I co trast with the wretched hebetude of sp rit which we find am g the Hindus a pure eth r—an exhalation of spirit—meets us in the Persian c eption. In t p rtem ges from that ubstantial unity f nature that substantial destitu n f import, in which a eparation has not yet taken pla e—in which sp rit has not yet an independent existen e in t rpor tion to its object. This peopl amely attained to the c ca usness that absolute truth must ha th form of uni ersality—of unity. Th uni rsal ternal infinit es en not ecognized at fi st as c ditioned in any way it is unlim t d de ty. Th is p ope ly (and we ha e alread f quently repeated it) is the characte of Brahm. B t thus Uni rsal B ing be ame obj ti and th ir spirit became the consc usness of this its essen whileo th co trary am ng the H ds thus bjecti rity is only the natural o e of th Brahman and is ec gnized a pur uni rsalit nly in the destructi f consc usness. Am th P rsians this negati asertio has become a posit one and man has a elatio t Uni versal Being f such kind that he emains posit in sustaining it. This On Uni rsal Being is indeed n t j t rec gnized as the f ee

themselves—to develop and assert their individuality. Light makes no distinctions: the sun shines on the righteous and the unrighteous on high and low and confers on all the same benefit and prosperity. Light is vitalizing only in so far as it is brought to bear on something distinct from itself, operating upon and developing that. It holds a position of antithesis to darkness, and this antithetical relation opens out to us the principle of activity and life. The principle of development begins with the history of Persia. This therefore constitutes strictly the beginning of world history for the grand interest of spirit in history is to attain an unlimited immanence of subjectivity—by an absolute antithesis to attain complete harmony.

Thus the transition which we have to make is only in the sphere of the Idea, not in the external historical connection. The principle of this transition is that the universal essence which we recognized in Brahm now becomes perceptible to consciousness—becomes an object and acquires a position.

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The nature of man becomes free and thus occupies a position face to face as it were with the highest being, the latter being made objective for him. This form of universality we see exhibited in Persia, involving a separation of man from the universal essence, while at the same time the individual recognizes himself as identical with that essence. In the Chinese and Indian principle this distinction was not made. We found only a unity of the spiritual and the natural. But spirit still involved in nature has to solve the problem of freeing itself from the latter. Rights and duties in India are intimately connected with special classes and are therefore only peculiarities attaching to man by the arrangement of nature. In China this unity presents itself under the conditions of paternal government. Man is not free there; he possesses no moral element, since he is identical with the external command. In the Persian principle unity first elevates itself to the distinction from the merely natural; we have the negation of that unreflecting relation which allowed no exercise of mind to intervene between the mandate and its adoption by the will. In the Persian principle this unity is manifested as light, which in this case is not simply light as such, the most universal physical element, but

at the same time a spiritual

Speciality

is consequent

and spirit itself imports therefore elevation—freedom from the merely natural. Man sustains a relation to light to the abstract good, as to something objective which is acknowledged, revered and evoked to activity by his will. If we look back once more and we cannot do so too frequently on the phases which we have traversed in arriving at this point, we perceive in China the totality of a moral whole but excluding subjectivity—this totality divided into members but without independence in its various portions. We found only an external arrangement of this political unity. In India on the contrary distinctions made themselves prominent but the principle of separation was unspiritual. We found incipient subjectivity but hampered with the condition that the separation in question is insurmountable and that spirit remains involved in the limitations of nature and is therefore a self-contradiction. Above this purity of castes is that purity of light which we observe in Persia, that abstract good to which all are equally able to approach and in which all equally may be hallowed. The unity recognized therefore now first becomes a principle, not an external bond of soulless order. The fact that everyone has a share in that principle secures harmony.

and

conscious brooding of spirit in fruitful plains—distinct from which is the lofty girdle of mountains with the wandering hordes that occupy them. The inhabitants of the heights in their conquest did not change the spirit of the plains but imbibed it themselves. But in Persia the two principles retaining their diversity became united and the mountain peoples with their principle became the predominant element. The two chief divisions which we have to mention are the Persian upland itself and the valley plains which are reduced under the dominion of the inhabitants of the upland. That elevated territory is bounded on the east by the Solman mountains which are continued in a northerly direction by the Hindu Kush and Belur Tar. The latter separate the anterior region—Bactriana and Sogdiana occupying the plains of the Oxus—from the Chinese Upland which extends as far as Kashgar. That plain of the Oxus itself lies to the north of the Persian upland which declines on the south towards the Persian Gulf. This is the geographical position of Iran. On its

Mithra appears here as the presiding genius of man's inward higher life. Later on great importance is assigned to Mithra as the mediator between Ormazd and men. Even Herodotus mentions the adoration of Mithra. In Rome at a late date it became very prevalent as a secret worship, and we find traces of it even far into the Middle Ages. Besides those noticed there are other protecting geni which rank under the Amhaspands the superiors and are the governors and protectors of the world. The council of the seven great men whom the Persians mention had about him was likewise constituted in imitation of the court of Ormazd. The *fash*—a kind of spirit world—are distinguished from the creatures of the mundane sphere. The *fash* consist of spirits according to our idea for they exist in every material object whether fire or earth. The existence is celestial with the origin of things they are in all places in high oases towns etc. and are prepared to give help to supplicants. Their bodies are the *de manas* the dwelling of the blissed above the lid vault of heaven. As soon as Ormazd found that the Däemahs apparently the same as the hometh Greeks call Achæmenes who seduced the *dahants* he called the Pishdadans—race to which Cyrus was reported to belong. Even at a late period the Persians seem to have had the designation Achæmenian among the Romans (Herodotus *Odyssey* 44). Däemahs had to do with the earth with a golden dagger which means something more than that he introduced agriculture. He is said then to have extracted the precious treasures signified by the drive of the byf ruled tract of land and made the valleys teem with life and grain. In the *Zend* est the name Gustasp is also frequently mentioned, which may be taken as signifying that he been the direct ancestor of Darius Hystaspes. He was that not been certain of it in the time of the Gustasp doubt being the first of the ancient *Zend* est period the first antecedent to Cyrus. Mithra is made in the *Zend* books of the Turanians also the mad tribe of the Turanians though nothing historical can be traced.

The *ritual* of the religion of Ormazd imports that men should conduct themselves in harmony with the kingdom of light. The great general commandment is that to be a ready said, spiritual and corporal purity assisting in many prayers to Ormazd. It was made specially obligatory upon the Persians to maintain their existences to plant trees to dig wells to fertilize desert in order that life the posi-

tion of the pure might be furthered and the dominion of evil destroyed.

the emperor in pieces his bridges had also laid upon it as the wicked and pernicious being—Ahhriman.

Chapter 2 *The Assyrians Babylonians Medes and Persians*

As the *Zend* race was the higher spiritual element of the Persian Empire so in Assyria and Babylon we have the element of external

the less easy to be cleared up as they have no canonical books or indigenous works. The Greek historian Ctesias is said to have had direct access to the archives of the Persians. He gives us two halves only of a fragment remaining. Herodotus gives us much information the accounts of the Bible are plausible and remarkable in the highest degree for the Hebrews were immediately connected with the Babylonians. In regard to the Persians special mention must be made of the epic *Shah-nama* by Ferdowsi—a heroic poem 60,000 strophes from which Gresshaugh has a popular extract. Ferdowsi lived at the beginning of the eleventh century A.D. at the court of Mahmud the Great of Ghazni east of Kabul and Kandahar. The celebrated epic just mentioned has the old heroic traditions of Iran (that is of West Persia proper) for its subject but it has not the value of a historical authority since it contains a poetical addition to the author Moḥammedān. The contest of Iran and Turan is described in this heroic poem. Iran Persia proper—the mountain land the land of the Orus Turan denotes the plains of the Oxus and the lying between the two nations of Jaxartes and the Oxus. The poem plays the principal part in the poem but its narrations are either altogether fabulous or quite distorted. Mention is made of Alexander and he is called Ishkader or Skander of Rum. Rum means the Turkish Empire (even now one of its provinces is called Rumelia) but it denotes the Roman Empire and in the poem Alexander's empire has equally the

unity of thought not yet worshipped in spirit and in truth but is still clothed with a form—that of light But light is not a lama a Brahman a mountain a brute this or that particular existence but sensuous universality itself simple manifestation The Persian religion is therefore no idol worship it does not adore individual natural objects but the universal itself Light admits moreover the signification of the spiritual it is the form of the good and true the substantiality of knowledge and volition as well as of all natural things Light puts man in a position to be able to exercise choice and he can only choose when he has emerged from that which had absorbed him But light directly involves an opposite namely darkness just as evil is the antithesis of good As man could not appreciate good if evil were not and as he can be really good only when he has become acquainted with the contrary so the light does not exist without darkness Among the Persians *Ormazd* and *Ahriman* present the antithesis in question Ormazd is the lord of the kingdom of light—of good Ahriman that of darkness—of evil But there is a still higher being from whom both proceeded—a Universal Being not affected by this antithesis called *Zrvana Akarana*—the Unlimited All The All is something abstract it does not exist for itself and Ormazd and Ahriman have arisen from it This dualism is commonly brought as a reproach against oriental thought and as far as the contradiction is regarded as absolute that is certainly an irreligious understanding which remains satisfied with it But the very nature of spirit demands antithesis the principle of dualism belongs therefore to the idea of spirit which in its concrete form essentially involves distinction Among the Persians purity and impurity have both become subjects of consciousness and spirit in order to comprehend itself must of necessity place the special and negative existence in contrast with the universal and positive Only by overcoming this antithesis is spirit twice born—regenerated The deficiency in the Persian principle is only that the unity of the antithesis is not completely recognized for in that indefinite conception of the Uncreated All whence Ormazd and Ahriman proceeded the unity is only the absolutely primal existence and does not reduce the contradictory elements to harmony in itself Ormazd

which he will at last conquer Ormazd is the lord of light and he creates all that is beautiful and noble in the world which is a kingdom of the sun He is the excellent the good the positive in all natural and spiritual existence Light is the *body of Ormazd* thence the worship of fire because Ormazd is present in all light but he is not the sun or moon itself In these the Persians venerate only the light which is Ormazd Zoroaster asks Ormazd who he is? He answers My name is the ground and centre of all existence highest wisdom and science destroyer of the ills of the world and maintainer of the universe fulness of blessedness pure will etc That which comes from Ormazd is living independent and lasting Language teaches to his power prayers are his production Darkness is on the contrary the body of Ahriman but a perpetual fire banishes him from the temples The chief end of every man's existence is to keep himself pure and to spread this purity around him The precepts that have this in view are very diffuse the moral requirements are however characterized by mildness It is said if a man load you with revilings and insults but subsequently humbles himself call him your friend We read in the *Zendidad* that actions consist chiefly of the flesh of clean animals flowers and fruits milk and perfumes It is and there As man was created pure and worthy of heaven he becomes pure again through the law of the servants of Ormazd which is purity itself if he purifies himself by sanctity of thought word and deed What is pure thought? That which ascends to the beginning of things What is pure word? The word of Ormazd (the word is thus personified and imports the living spirit of the whole revelation of Ormazd) What is pure deed? The humble adoration of the heavenly hosts created at the beginning of things It is implied in this that man should be virtuous his own will his subjective freed is presupposed Ormazd is not limited to particular forms of existence Sun moon and five other stars which seem to indicate the planet those illuminating and illuminated bodies are the primary symbols of Ormazd the *Amshas* spends his first sons Among the *Mithras* is also named but we are at a loss to fix upon the star which this name denotes as we are all in reference to the others The *Mithras* is placed in the Zend books among the other stars yet in the penal code moral transgressions are called *Mithrasins* e.g. breach of promise entailing 300 lashes to which in the case of theft 300 years of punishment in hell are to be added

which Ormazd carries on with Ahriman and in

other. When a son in Babylon fell ill, he was brought to some open place and every passer-by might have the opportunity of giving him his advice. Mammata's daughters were disposed of by auction, and the high price offered for her was lowered down for her pained mother. Such an arrangement was no deemed uncommon.

Even with the obligation under which every woman had of protecting herself out in her life in the temple of Mylitta. It is difficult to discover what connection this had with their religious ideas. This excepted, we find that the odorous incense burnt in the temple of Babylon only at a later period, when the people became poorer. The fact that the poorer portion of the sex furnished dwellings for their less attractive sisters, seems to confirm his testimony so far as it shows a provident care for all while the burning of the sick in the public places indicates a certain neighbourhood feeling.

We must here mention the Medes also. They were like the Persians, mountain-people whose habitations were to the south and southwest of the Caspian Sea and stretched as far as Armenia. Among these Medes the Magi are also noticed as one of the six tribes that formed the Median people, whose chief characteristics were fierce, restless, barbarian and warlike character. The capital, Ecbatana, was built by Darius on a tier. He is said to have ordered under his early rule the tribes of the Medes after they had made themselves free a second time from Assyrian supremacy and to have induced them to build a city for itself. This palace befitting his dominion. As to the opinion of the Medes the Greeks tell all the usual pretexts of which there is no perfect reliance. But all the data point to the fact that among the Magi we may look for comparison in close connection with the Zend religion but that although the Magi preserved and extended it experienced gradual modification in relation to the various peoples who dwelt. Herodotus says that Cyrus was the first that ordered the God according to the fashion of the Medes. The Medes were called as mediums of propagating the Zend religion.

The Assyrian-Babylonian Empire which held so many provinces in subjection, is said to have endured for one thousand or fifteen hundred years. The last ruler was Sardanapalus—a great warrior at once and the descriptions we have from Arabians the story of Media extended the others surpassing almost him and in connection with them led the troops which a century had every year at Nineveh to pay the tribute,

against Sardanapalus. The latter although he had gained many victories was at last compelled to yield before an overwhelming force and to shut himself up in Nineveh and when he could no longer offer resistance to burn himself there and to come thro-

broken up it was divided into Asia Minor, Median, and a Babylonian Empire to which also belonged the Chaldeans—a mountain people from the north which had united with the Babylonians. These several empires had in their turn various fortunes though here we meet with a confusion in the accounts which has never been cleared up. Within this period of their existence begins their connection with the Jews and Egyptians. The Jewish people were carried to superior force the Jews were carried captive to Babylon and from them we have accurate information respecting the condition of this empire. According to Daniel's statements there ensued a Babylonian empire fully appointed organization for government business. He speaks of Magians from whom the expounders of sacred writings the soothsayers astrologers Wise Men, and Chaldeans who interpreted dreams at Babylon gained. The Prophets generally say much of the great misère of Babylon but they also draw a terrible picture of the prevailing depravity.

The real culmination of the Persian Empire is to be looked for in connection with the Persian people properly so called, which, embracing, as it is, all the Near East came into contact with the Greeks. The Persians are found in extremely close and early connection with the Medes and the transmission of the sovereignty to the Persians makes essential difference for Cyrus was himself a relation of the Median king and the names of Persia and Media are the same. At the head of the Persians and Medes Cyrus made war upon Lydia and its king Croesus. Herodotus relates that there had been wars before between Lydia and Media but which had been settled by the intervention of the king of Babylon. We recognize here a system of states consisting of Lydia, Media, and Babylon. The latter had become predominant and had extended its domination to the Mediterranean Sea. Lydia stretched eastward as far as the Halys and the border of the western coast of Asia Minor the far Greek colonies were subject to it. A high degree of culture was thus already present in the Lydian Empire. Art and

appellation Roun Confusions of this kind are quite of a piece with the Mohammedan views It is related in the poem that the King of Iran made war on Philip and that this latter was beaten The King then demanded Philip's daughter as a wife but after he had lived a long time with her he sent her away because her breath was disagreeable On returning to her father she gave birth to a son Skander who hastened to Iran to take possession of the throne after the death of his father Add to the above that in the whole of the poem no personage or narrative occurs that can be connected with Cyrus and we have sufficient data for estimating its historical value It has a value for us however so far as Firdousi therein exhibits the spirit of his time and the character and interest of modern Persian views

As regards *Assyria* we must observe that it is a rather indeterminate designation *Assyria* proper is a part of Mesopotamia to the north of Babylon As chief towns of this empire are mentioned Atur or Assur on the Tigris and of later origin Nineveh said to have been built by Nimrod In

whole empire—Nineveh for example so also Ecbatana in Media which is said to have had seven walls between whose inclosures agriculture was carried on and within whose innermost wall was the palace of the ruler Thus too Nineveh (ab

those in consequence of a twofold necessity on the one hand that of giving up the nomad life

and that this entire valley district was traversed by nomads and that this mode of life gave way before that of the cities Thus Abraham wandered forth with his family from Mesopotamia westwards into mountainous Palestine Even at this day the country round Baghdad is thus infested by roving nomads Nineveh is said to have been built 550 years before Christ

for Ctesias reckons the number of troops that accompanied Nimrod at 1 700 000 infantry and a proportionate number of cavalry Bactra was besieged for a very considerable time and its conquest is ascribed to Semiramis who with a valiant host is said to have ascended the steep acclivity of a mountain The personality of Semiramis wavers between mythological and historical representations To her is ascribed the building of the Tower of Babel respecting which we have in the Bible one of the oldest traditions

Babylon lay to the south of the river

there was considerable navigation Vessels came partly from Armenia partly from the south to Babylon and conveyed thither an immense amount of material wealth The land round Babylon was intersected by innumerable canals more for purposes of agriculture to irrigate the soil and to obviate inundations than for navigation The magnificent buildings of Semiramis in Babylon itself are celebrated though how much of the city is to be ascribed to the more ancient period is undetermined and uncertain It is said that Babylon formed a square bisected by the Euphrates On one side of the stream was the temple of Bel on the other the great palaces of the monarchs The city is reputed to have had 72 streets

its walls

propo

towers The thoroughfares in the city which led towards the river were closed every night by brazen doors Ker Porter an Englishman about twelve years ago (his whole tour occupied from 1817 to 1820) traversed the countries where ancient Babylon lay on an elevation he thought he could discover remains still existing of the old Tower of Babel and supposed that he had found traces of the numerous roads that wound around the tower and in whose loftiest story the image of Bel was set up There are besides many hills with remains of ancient structures The bricks correspond with the description in the Biblical record of the building of the tower A vast plain is covered by an innumerable multitude of such bricks although for many thousand years the practice of removing them has been continued and the entire town of Hill

nians which appear to show that they were people living peaceably and neighbourly with each

also n speaking the truth There is one state
ment to the effect that the prince receiv'd in
structio in the Magian lore of Zoroaster Four
of the noblest Persians conducted the prince's
educat on The magnates of the land at large
constituted a kind of diet Am ng them Magi
were als found They are dep cted as free men
num ted by a noble fid lity and patriotism Of
such cha a terse mtheseven nobles—the coun
terpart of the Amshaspands who stand ar u d
Ormazd—when after the unmasking of the false

the court f th mo a h the as d m as
of Persian ca lry which co st t ted the diffe
of the whole army ate at a c mm n table and
w bject to a most pe fect discipline in

Thra and t last Gee e whe the r ast
po r was destin d t be shatt red. A march of
this kind look d almost like a emigr t on the
f milies c mpani d them Each people ex
hib t d ts natl al feat es and w like accou
tr ments dp ed f rth e mas e Each had

w w d e ch ther a

parued him) Yet th pe ples we un
equally dis plu d di n t gth and
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b t ell train d mnes of th Gr k a mated
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hp c uld thst d th e um rable h t dis
o d lyh t f th P rsia Th p ov es had
t p o d f th uppo to f th P is a alry
huch we e quart d in the e tr f th k g
dom B byl h d t c t b t th ths dp t
of th upplies in q est n, d n eque tly
ppea st ha been by f th hest d t rict
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et

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th t em e Till their se e th yea th
ns f th ling main d mo g the w men,
d did t m unt th y l p ese ce F m
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in hunt g riding hooting with the bow a d

But the k g was nly the abstract so gn
the enjoyment of the co try remained to the
nations themsel es whos bligat swe e c m
pri ed in the mainte c of the court a d the
sat ps and the c tribut of th cho ce t

g n p esents to the king and from the amount
of these gifts we may infer the wealth f the un
exh t dp vinces Th s the d min on of the
Pe s ans was by o m ns opp es e e th r in
secul r or religio s e p cts The P ans
c d g t H r d tus had no id ls—fact
ridi d d th pom rphic p e tat of the
g ds b t th y t l rat deve y elign alth ough
th may b f und xp ess ons of wrath g inst
id l try G k temples we e destroyed a d
th imag f the gods b oken in p ces

Syria and S m t II tern Asia

One elem t—the coast terrt ry—which also
belo g d t the P r is an Emp e is e pecially

poetry were blooming there as cultivated by the Greeks. These colonies also were subjected to Persia. Wise men such as Bias and still earlier Thales advised them to unite themselves in a firm league or to quit their cities and possessions and to seek out for themselves other habitations (Bias meant Sardinia). But such a union could not be realized among cities which were animated by the bitterest jealousy of each other and who lived in continual quarrel while in the intoxication of affluence they were not capable of forming the heroic resolve to leave their homes for the sake of freedom. Only when they were on the very point of being subjugated by the Persians did some cities give up certain for prospective possessions in their aspiration after the highest good—liberty. Herodotus says of the war against the Lydians that it made the Persians who were previously poor and barbarous acquainted for the first time with the luxuries of life and civilization. After the Lydian conquest Cyrus subjugated Babylon. With it he came into possession of Syria and Palestine, freed the Jews from captivity and allowed them to rebuild their temple. Lastly, he led an expedition against the Massagætæ engaged with them in the steppes between the Oxus and the Jaxartes but sustained a defeat and died the death of a warrior and conqueror. The death of heroes who have formed an epoch in the history of the world is stamped with the character of their mission. Cyrus thus died in his mission which was the union of the Near East into one sovereignty without an ulterior object.

Chapter 3 *The Persian Empire and its Constituent Parts*

The Persian Empire is an empire in the modern sense—like that which existed in Germany, and the great imperial realm under the sway of Napoleon. For we find it consisting of a number of states which are indeed dependent but which have retained their own individuality, their manners and laws. The general enactments binding upon all did not infringe upon their political and social idiosyncrasies but even protected and maintained them so that each of the nations that constitute the whole had its own form of constitution. As light illuminates everything imparting to each object a peculiar

minion of light. The Persian Empire comprehends all the three geographical elements which we classified as distinct. First the uplands of Persia and Media, next the valley plains of the Euphrates and Tigris, whose inhabitants are found united in a developed form of civilization with Egypt—the valley plain of the Nile—where agriculture, industrial arts and sciences flourished, and lastly a third element to the nations who encounter the perils of the east—the Syrians, the Phœnicians, the inhabitants of the Greek colonies and Greek maritime cities in Asia Minor. Persia thus united in itself the three natural principles while China and India remained foreign to the sea. We find here neither that consolidated totality which China preserves nor that Hindu life in which an anarchy of empire is prevalent everywhere. In Persia the government though joining all in a central unity is but a combination of peoples—leaving each of them free. Thereby a stop is put to that barbarism and ferocity with which the nations had been wont to carry on their destructive feud, and which the Book of Kings and the Book of Samuel sufficiently attest. The lamentations of the Prophets and their imprecations upon the state of things before the conquest show the misery, wickedness and disorder that prevailed among them, and the happiness which Cyrus diffused over the region of the Near East. It was not given to the Asiatics to unite self-dependence, freedom and substantial enjoyment of mind with culture, science and interest for diverse pursuits and an acquaintance with the conveniences of life. Military valour among them is consistent only with barbarity of manners. It is not the calm courage of order, and when their mind opens to a sympathy with various interests it immediately passes into effeminacy, allows its energies to sink, and makes men the slaves of an enervated sensuality.

Persia

The Persians—a free mountain and nomad people—though ruling over richer, more civilized and fertile lands retained on the whole the fundamental characteristics of their ancient mode of life. They stood with one foot on their ancestral territory, with the other on their foreign conquests. In his ancestral land the king was a friend among friends and as if surrounded by equals. Outside of it he was the lord to whom all were subject and bound to acknowledge their dependence by the payment of tribute. Faithful to the Zend religion, the Persians gave themselves to the pursuit of piety and the pure wor-

there is manifested a perfect unity
Persian unity

We find on the other hand something quite different among the Phœnicians that build sea-faring people. He did not tell us that Tyre. He told us was worshipped. If the divinity in question is not absolutely identical with the Greek demigod, there must be understood by that name one who attributes nearly agree with his. This worship is particularly indicative of the character of the people for it is Hercules of whom the Greeks say that he raised him up to Olympus by dint of human courage and daring. The idea of the sun perhaps originates that of

made him a gay woman
and who instead of passing his life in idleness

Life here regarded as its value. A universality of presence is blished for death becomes immanent in the Divine and the deity dies. Among the Persians we saw light and darkness struggling with each other but here both principles are united in one—the absolute. The negative is here too the merely natural but as the death of god it is not a limitation attaching to an individual object but is pure negativity itself. And this point is important because the generic conception that has to be formed of deity is spirit which in itself is being concrete and having in it the element of negativity. The qualities of wisdom and power are also concrete qualities but only as predicates so that God remains abstract substantial unity in which differences themselves vanish and do not become elements (*Momente*) of this unity. But here the negative itself is a phase of deity—the natural—death the worship appropriate to which is grief. It is in the celebration of the death of Adonis and of his resurrection that the concrete is made conscious. Adonis is a

entity in the decrease only paying the debt of nature. When a youth is snatched away by death the occurrence is regarded as contrary to the proper order of things and while affliction at the death of parents is only a slight affliction in the case of youth death is a passion. And this is the deeper element in the conception that the divinity negativity—antithesis—is manifested and that the worship rendered to him in himself is both elements—the pain felt for the divinity attached away from the joy occasioned by his being found again.

Juda

The next people belong to the Persians. Emphasis is placed on that wide circle of nature which it comprises the Jews. We find here too an ancient book—the *Old Testament* in which the Jewish people whose principles are the exact opposite of the Jewish description exhibited. While among the Phœnicians people the spiritual was limited by nature in the case of the Jews we find entirely purified the product of thought. Self-conception appears in the field of consciousness and the spiritual develops itself in sharp contrast to nature and thus new truth. It is true that we observe at an early stage the pure concept. Brahman but only as the natural being of nature and with this limitation, that Brahman is not himself

afflicted with unmitigated mourning when he had made an image of his child (Adonis) early taken away he had him as god who was a dead man and did not tell those that were understood him to emphasize sacrifices (E. V. nearly). The fact of Adonis was everywhere in the worship of Oris the common motion of his death is the fiercest of all which the women broke into the most terrible lamentations over the death of god. In India lamentation is uppermost in the Buddhism in its entirety uncomplaining the woman plunging into the river with men in an unending penance imposed upon themselves the direst tortures of the gods themselves upon themselves. The factuality in the death of the deity conscious in empty abstract temptation. He is the contrary human pain becomes an element in worship in pain man realizes his objectivity it is expected of him—he may indulge himself conscious and the feeling is actual in the case.

represented by Syria. It was peculiarly important to the Persian Empire for when continental Persia set out on one of its great expeditions it was accompanied by Phœnician as well as by Greek navies. The Phœnician coast is but a very narrow border often only two leagues broad which has the high mountains of Lebanon on the east. On the seacoast lay a series of noble and rich cities as Tyre Sidon Byblus Berytus carrying on great trade and commerce which last however was too isolated and confined to that particular country to allow it to affect the whole Persian state. Their commerce lay chiefly in the direction of the Mediterranean sea and it reached thence far into the west. Through its intercourse with so many nations Syria soon attained a high degree of culture. There the most beautiful fabrications in metals and precious stones were prepared and there the most important discoveries e.g. of glass and of purple were made. Written language there received its first development for in their intercourse with various nations the need of it was soon felt. (So to quote another example Lord Macartney observes that in Canton itself the Chinese had felt and expressed the need of a more pliable written language.) The Phœnicians discovered and first navigated the Atlantic Ocean. They had settlements in Cyprus and Crete. In the remote island of Thasos they worked gold mines. In the south and southwest of Spain they opened silver mines. In Africa they founded the colonies of Utica and Carthage. From Gades they sailed far down the African coast and according to some even circumnavigated Africa. From Britain they brought tin and from the Baltic Prussian amber. This opens to us an entirely new principle. Inactivity ceases as all o mere

man bethinks itself of the means of safety. Here everything depends on man's activity his courage his intelligence while the objects aimed at are also pursued in the interest of man. Human will and activity here occupy the foreground not nature and its bounty. Babylonia had its determinate share of territory and human subsistence was there dependent on the course of the sun and the process of nature generally. But the sailor relies upon himself amid the fluctuations of the waves and eye and heart must be always open. In like manner the principle of industry involves the very opposite of what is received from nature for natural objects are worked up for use and ornament. In industry

man is an object to himself and treats nature as something subject to him on which he receives the seal of his activity. Intelligence is the value needed here and ingenuity is better than mere natural courage. At this point we see the nations freed from the fear of nature and its slavish bondage.

If we compare their religious ideas with the above we shall see in *Babylon* in the Syrian tribes and in *Phrygia* first a rude vulgar sensual idolatry—a description of which in its principal features is given in the Prophets. Nothing indeed more specific than idolatry is mentioned and this is an indefinite term. The Chinese the Hindus the Greeks practice idolatry the Catholics too adore the images of saints but in the sphere of thought with which we are at present occupied it is the powers of nature and of production generally that constitute the object of veneration and the worship is luxury and pleasure. The Prophets give the most terrible pictures of this though their repulsive character must be partly laid to the account of the hatred of Jews against neighbouring peoples. Such representations are particularly ample in the Book of Wisdom. Not only was there a worship of natural object but also of the universal power of nature—Astarte Cybele Diana of Ephesus. The worship paid was a sensual intoxication excess and revelry sensuality and cruelty are its two characteristic traits.

When they keep their holy days they act as if mad [they are mad when they be merry—English Version] says the Book of Wisdom (14-8) With a merely sensual life this being a form of consciousness which does not attain to general conceptions cruelty is connected because nature itself is the highest so that man has no value or only the most trifling. Moreover the genius of such a polytheism involves the destruction of its consciousness on the part of spirit in striving to identify itself with nature and the annihilation of the spiritual generally. Thus we see children sacrificed priests of Cybele subjecting themselves to mutilation men making themselves eunuchs women prostituting themselves in the temple. As a feature of the court of Babylon it deserves to be remarked that when Daniel was brought up there it was not required of him to take part in the religious observances and moreover that food ceremonially pure was allowed him that he was in requisition especially for interpreting the dreams of the king because he had the spirit of the holy gods. The king proposes to elevate himself above sensual life by dreams as indica-

them to depart out of Egypt, and gave them the land of Canaan. The accounts of the patriarchs attract our interest. We see in this history the transition from the patriarchal nomad condition to agriculture. On the whole the Jewish history exhibits grand features of character but it is discoloured by an exclusiveness bearing (sanctioned in its religion) towards the genius of other nations (the destruction of the inhabitants of Canaan being even commanded) by war of culture generally and by the superstition arising from the idea of the high value of their peculiar religious miracles too form a disturbing feature in this history—as history for as far as concrete consciousness is not free, concrete perception is also not free nature is undivided, but not yet understood.

The family became great nation through the conquest of Canaan; it took a whole country into possession and erected a temple for the entire people in Jerusalem. But properly speaking no political union existed. In case of national danger heroes arose who placed themselves at the head of the armies though the nation during this period was for the most part in objection. Later on, kings were chosen, and it was they who first rendered the Jews independent. David even made conquests. Originally the legislation is adapted to family life yet in the books of Moses the wish for a king is anticipated. The priests are to choose him; he is not to be of the number of his horsemen in large numbers and he is to have few wives. After a short period of glory the kingdom suffered in total destruction and was divided. As there was only one tribe of Levites and on temple, and in Jerusalem, doctry was immediately introduced. The one God could not be honored in different temples and there could not be two kingdoms attached to one religion. However spiritual may be the conception of God as objective the subjective and his honor rendered to him, is still very limited and unspiritual in character. The two kingdoms equally life conscious in their reign and domes warily were subjected to the Assyrians and Babylonians through Cyrus the Great's permission to return home, and in accordance to their own laws.

Egypt

The Persian Empire is one that has passed its glory but in which it still relies as Babylon, Assyria, Persia—are rare to the ground and only few ruins mark their ancient sites. Even in the more modern great cities of

Persia, Ispahan and Shiraz, half of them has become a ruin and they have not, as is the case with ancient Rome, developed a new life but have lost their place almost entirely in the remembrance of the surrounding nations. Besides the other lands already enumerated as belonging to the Persian Empire, Egypt claims a place characteristically the land of ruins a land which from hoar antiquity has been regarded with wonder and which in recent times also has

other The one is the immersion in the sensual—among the Babylonians and Syrians the other is the spiritual phase which is twofold first as the incipient consciousness of the concrete spirit in the worship of Adonis and then as pure and abstract thought among the Jews. In the former the concrete is deficient in unity in the latter the concrete is altogether wanting. The next problem is then, to harmonize these contradictory elements and this problem presents itself in Egypt. Of the representations which Egyptian antiquity presents us with, one figure must be especially noticed, viz. the Ankh or life itself a middle an ambiguous form half brute half human. The Ankh may be regarded as a symbol of the Egyptian spirit. The human head looking up from the brute body exhibits spirit as it begins to merge from the merely natural—to tear itself loose therefrom and already to look on it freely around it without, however, freeing itself from the fetters nature had imposed. The innumerable edifices of the Egyptians are half below the ground, and half rise above it into the air. The whole land is divided into a kingdom of life and a kingdom of death. The colossal statue of Memnon resounds at the first glance of the young morning sun though it is not yet the free light of spirit with which the hieroglyphs. Written language is still a hieroglyph and its basis is only the sensuous image not the letter itself.

Thus the monuments of Egypt themselves give us an insight into the nature and images that express its character we recognize spirit in them which feels itself oppressed which utters itself but only in sensuous mode.

Egypt was always the land of marvels and

an object of consciousness Among the Persians we saw this abstract being become an object for consciousness but it was that of sensuous intuition—as light But the idea of light has at this stage advanced to that of Jehovah—the *purely One* This forms the point of separation between the East and the West spirit descends into the depths of its own being and recognizes the abstract fundamental principle as the spiritual Nature which in the East is the primary and fundamental existence is now depressed to the condition of a mere creature and spirit now occupies the first place God is known as the creator of all men as he is of all nature and as absolute causality generally But this great principle as further conditioned is *exclusive* unity This religion must necessarily possess the element of exclusiveness which consists essentially in this—that only the one people which adopts it recognizes the one God and is acknowledged by Him The God of the Jewish people is the God only of Abraham and of his seed national individuality and a special local worship are involved in such a conception of deity Before him all other gods are false moreover the distinction between true and false is quite abstract for as regards the false gods not a ray of the divine is supposed to shine into them But every form of spiritual force and *a fortiori* every religion is of such a nature that whatever be its peculiar character an affirmative element is necessarily contained in it However erroneous a religion may be it possesses truth although in a mutilated phase In every religion there is a divine presence a divine relation and a philosophy of history has to seek out the spiritual element even in the most imperfect forms But it does not follow that because it is a religion it is therefore *good* We must not fall into the lax conception that the content is of no importance but only the form This latitudinarian tolerance the Jewish religion does not admit being absolutely exclusive

The spiritual speaks itself here absolutely free of the sensuous and nature is reduced to something merely external and undivine This is the true and proper estimate of nature at this stage for only at a more advanced phase can

ture leads men to regard God as the enl ed

Hindu religion presents is only that of *inert* nature In virtue of the prevailing spirituality the sensuous and immoral are no longer privileged, but disparaged as ungodliness Only the One—Spirit—the nonsensuous is the truth Thought exists free for itself and true morality and righteousness can now make their appearance for God is honoured by righteousness and right doing is walking in the way of the Lord With this is conjoined happiness life and temporal prosperity as its reward for it is said that thou mayest live long in the land Here too also we have the possibility of a *historical* view for the understanding has become prosaic putting the limited and circumscribed in its proper place and comprehending it as the form proper to finite existence Men are regarded as individuals not as incarnations of God sun as sun, mountains as mountains—not as possessing spirit and will

We observe among this people a severe religious ceremonial expressing a relation to pure thought The individual as concrete does not become free because the absolute itself is not comprehended as *concrete* spirit since pure still appears posited as non spiritual—destitute of its proper characteristics It is true that subjective feeling is manifest—the pure heart repentance devotion but the particular concrete individuality has not become objective to itself in the absolute It therefore remains closely bound to the observance of ceremonies and of the law the basis of which latter is pure freedom in its abstract form The Jews possess that which makes them what they are through the *One* consequently the individual has no freedom for itself Spinoza regards the code of Moses as having been given by God to the Jews for a punishment—a rod of correction The individual never comes to the consciousness of independence on that account we do not find among the Jews any belief in the immortality of the soul for individuality does not exist in and for itself But though in Judaism the

substantial existence But the state is a tion not consonant with the Judaistic principle and it is alien to the legislation of Moses In the idea of the Jews Jehovah is the God of Abraham of Isaac and Jacob who commanded

honoured now first attains its *idea* nature resumes its proper position Nature is conceived as having the ground of its existence in another—as something posited created and this idea that God is the lord and creator of na

tending even to Colchis and illustrates his statement by the great similarity between the manners of the Colchians and those of the Egyptians these two nations and the Ethiopians were the only ones that had always practiced circumcision Herodotus says moreover that the Scythians had vast canals dug through the whole of Egypt which served to convey the water of the Nile to every part It may be generally remarked that the more prosperous the government in Egypt was so much the more regard did it pay to the maintenance of the canals All under neglect the governments the desert got the upper hand and Egypt was engaged in a constant struggle with the fierceness of the heat and with the water of the Nile It appears from Herodotus that the country had become impassable for cavalry in consequence of the

er u d In the year 650 B.C. one of these kings
 Psammetichus with the help of the Ionians and
 Carians (to whom he promised land in Lower
 Egypt) expelled the eleven other kings. Till
 that time Egypt had remained secluded from
 the rest of the world and at least had estab-
 lished no connection with other nations. Psa-
 metichus commenced such a connection and
 was the unifier of Egypt. From

canal which was to unite the Nile with the Red Sea but which was not completed until the reign of Darius Nothus. The plan of uniting the Mediterranean Sea with the Arabian Gulf and the wide ocean is not so advantageous as might be supposed since in the Red Sea which on other accounts is very difficult to navigate

send 1 horse fr m Egypt
Next to Se in the Kn Cheops and Ch
phren des rve special ment n They a e said to

into the march — the mouth of the Nile
only after the departure of the Ethiopians did
he make his appearance again. He was succeed-
ed by Sesostris who had been prince of Phthia
(supposed to be the same as Heracles) and
did his government in such a manner that
Asiatic and added the country of the Indians
way extended within the great
respect derived from the land
did he he kept the peace they re-
fused to. He enlarged the empire to a
general manner to the Egyptian and a sem-
bled his empire did his kings art and
made the people of the Bible were the
enemies of a distant war the age who
route did the Bible do it that I did
me me the gift did know the
and be of the man that the latter
perished of the power re-compelled the
After the death of Sesostris the Egyptian (H)
rodent till the gods did them less a
did he set himself to kill the
a fed lion — symbol of which they
built the Labyrinth of the name
number of rooms and halls also called

by him t the Caria s a d Iona s Ama is
placed h m elf at the head of the rebels con
que d the k ng a d posses ed h mself of the
th one By Herod tus he is depicted as a hu
morou monarch who h wever d d not al ays

unde sta d ng In the morning he held h s court
of jud cat e and listened to the complaints
of the pe ple but in the afternoon feasted a d
surrende d h m elf to pleasure To his friend
who blamed h m on th cc nt d told h m
that he o ght t g e the wh le day to bu me
he m d we If the b v con ta tly on
the t et h it become u e l s or breaks As
the Egypt ns thought less of him on acco t
of his mean descent he had a golden ba in u ed

rodutu elates mo e r that h indulged i
excesse as a pri ate m n dssipated th whle
of his property a d the bt ok hm elf t
stealing This co trast of a vulgar soul and a

has remained so to the present day It is from the Greeks especially that we get information respecting it and chiefly from Herodotus This intelligent historiographer himself visited the country of which he wished to give an account and at its chief towns made acquaintance with the Egyptian priests Of all that he saw and heard he gives an accurate record but the deeper symbolism of the Egyptian mythology he has refrained from unfolding This he regards as something sacred and respecting which he cannot so freely speak as of merely external objects Besides him Diodorus Siculus is an authority of great importance and among the Jewish historians Josephus

In their architecture and hieroglyphics though but a few
 expr
 langu

to themselves they could not have any because they had not advanced to an understanding of themselves Nor was there any Egyptian history until at last Ptolemy Philadelphus he who had the sacred books of the Jews translated into Greek prompted the high priest Manetho to write an Egyptian history Of this we have only extracts list of kings which however have occasioned the greatest perplexities and contradictory views To become acquainted with Egypt we must for the most part have recourse to the notices of the ancients and the immense monuments that are left us We find a number of granite walls on which hieroglyphics are graven and the ancients have given us explanations of some of them but which are quite insufficient In recent times attention has especially been recalled to them and after many efforts something at least of the hieroglyphic writing has been deciphered The celebrated Englishman Thomas Young first suggested a method of discovery and called attention to the fact that there are small surfaces separated from the other hieroglyphics and in which a Greek translation is perceptible By comparison Young made out three names—Berenice Cleopatra and Ptolemy and thus was the first step in deciphering them It was found at a later date that a great part of the hieroglyphics are phonetic that is express sounds Thus the figure of an eye denotes first the eye itself but secondly the first letter of the Egyptian word that means eye (as in Hebrew the figure of a house α denotes the letter b with which the word $\beta\eta\eta$ house begins) The celebrated Champollion (the younger) first called attention to the fact that the phonetic hieroglyphs

are intermingled with those which mark conceptions and thus classified the hieroglyphs and established settled principles for deciphering them

The history of Egypt as we have it is full of the greatest contradictions The mythical is blended with the historical and the statements are as diverse as can be imagined F

Our kings have been confirmed by the recent discoveries Herodotus says that according to the statements of the priests gods had formerly reigned over Egypt and that from the first human king down to the King Setebos 341 generations or 11 340 years had passed away but that the first human ruler was Menes (the resemblance of the name to the Greek Minos and the Hindu Manu is striking) With the exception of the Thebaid its most southern part Egypt was said by them to have formed a lake the delta presents reliable evidence of having been produced by the silt of the Nile As the Dutch have gained their territory from the sea and have found means to sustain themselves upon it so the Egyptians first acquired their country and maintained its fertility by canals and lakes An important feature in the history of Egypt is its descent from Upper to Lower Egypt from the south to the north With this is connected the consideration that Egypt probably received its culture from Ethiopia principally from the island Meroe which according to recent hypotheses was occupied by a sacerdotal people Thebes in Upper Egypt was the most ancient residence of the Egyptian kings Even in Herodotus's time it was in a state of dilapidation The ruins of this city present the most enormous specimens of Egyptian architecture that we are acquainted with Considering their antiquity they are remarkably well preserved which is partly owing to the perpetually cloudless sky The centre of the kingdom was then transferred to Memphis not far from the modern Cairo and lastly to Sais in the delta itself The structures that occur in the locality of this city are of very late date and imperfectly preserved Herodotus tells us that Memphis was referred to so remote a founder as Menes Among the later kings must be especially noticed Sesostris who according to Champollion is Ramses the Great To him in particular are referred a number of monuments and pictures in which are depicted his triumphal processions and the captives taken in battle Herodotus speaks of his conquests in Syria ex

tending even to Cleopatra and illustrates his statement by the great similarity between the manners of the Cleopatra and those of the Egyptians these two nations and the Ethiopians were the only ones that had always practiced circumcision. Herodotus says moreover that Sesostris had great canals dug through the whole of Egypt which served to convey the water of the Nile to every part. It may be generally remarked that the most important thing in Egypt was so much the more regarded did it pay to the maintenance of the canals while under neglect the germs in the desert got the upper hand of Egypt was gaged in a constant struggle with the fierce heat and with the water of the Nile. It appears from Herodotus that the country had become impassable for cavalry in consequence of the

ground. In the year 608 B.C. one of these kings Psammetichus with the help of the Ionians and Carians (to whom he promised land in Lower Egypt) expelled the eleven other kings. Till that time Egypt had remained secluded from the rest of the world and the sea it had established no connection with other nations. Psammetichus commenced such a connection and thereby led the way to the ruin of Egypt. From that point the history becomes clearer because

reign of Darius Nothus. The plan of the Nile the Mediterranean Sea with the Arabian Gulf and the wide ocean is not so advantageous as might be supposed since in the Red Sea which in their accounts is very difficult to navigate the perils for about nine months in the year

referred to in Egypt.

Next Sesostris the Kings Cheops and Chaphren deserve special mention. They are said to have built enormous pyramids and cleared the

marshes and the latter by Apries which led an army against Sardinia and engaged with the Tyrians by sea against Cyrene. So he sent an army which

But Anubis the god of Mycerinus led into the marshes—to the mouth of the Nile

by him to the Carians and Ionians. Amasis placed himself at the head of the rebels conquered the king and possessed himself of the throne. By Herodotus he is depicted as

respect and elevated them from slaves and when he made them as slaves they refused. He was obliged to retreat and a general summons to the Egyptians assembled him to impose of his subjects artisans and make the people. In the Bible we read that the enemies fled and that the warriors who roared them back. Herodotus relates that he fled in the night and knewed the quarters and bow of the enemy that the latter depicted the weapons were impelled to flee. After the death of Seth the Egyptians (Herodotus tells us) regarded themselves as free and chose themselves twelve kings who formed a dynasty—a dynasty of which they built the Labyrinth consisting of an immense number of rooms and halls above and below

of jurisdiction and listened to the complaints of the people but in the first moon feast day he surrndered him. If to pleasure Themistocles who blamed him on this account and told him that he ought to give the whole day to business he made answer. If the business was constantly the touch it becomes useless to break. As the Egyptians thought less of him on account of his mean descent he had a golden basin used for washing the feet made into the image of a god in which he honored among the Egyptians this he meant as a symbol of his own levitation. Herodotus relates moreover that he indulged in excesses private man disapproved the whole of his property and then betook himself to stealing. This contrast of a vulgar soul and a

keen intellect is characteristic in an Egyptian king

Amasis drew down upon him the ill will of King Cambyses. Cyrus desired an oculist from the Egyptians for at that time the Egyptian oculists were very famous their skill having been called out by the numerous eye diseases prevalent in Egypt. This oculist to revenge himself for having been sent out of the country, advised Cambyses to ask for the daughter of Amasis. —
 would e
 to him
 Cambyses

— would not give his daughter to Cambyses because the latter desired her as an inferior wife (for his lawful spouse must be a Persian) but sent him under the name of his own daughter that of Apries who afterwards discovered her real name to Cambyses. The latter was so incensed at the deception that he led an expedition against Egypt conquered that country and united it with the Persian Empire.

As to the Egyptian *spirit* it deserves mention here that the Elians in Herodotus's narrative call the Egyptians the wisest of mankind. It also surprises us to find among them in the vicinity of African stupidity, reflective intelligence a thoroughly rational organization characterizing all institutions and most astonishing works of art. The Egyptians were like the Hindus divided into castes and the children always continued the trade and business of their parents. On this account also the mechanical and technical in the arts was so much developed here while the hereditary transmission of occupations did not produce the same disadvantageous results in the character of the Egyptians as in India. Herodotus mentions the even following castes: the priests, the warriors, the neatherds, the swineherds, the merchants (or trading population generally), the interpreters—who seem only at a later date to have constituted a separate class—and lastly the seafaring class. Agriculturists are not named here probably because agriculture was the occupation of several castes as e.g. the warriors to whom a portion of the land was given. Diodorus and Strabo give a different account of these caste divisions. Only priests, warriors, herds men, agriculturists and artificers are mentioned to which latter perhaps tradesmen also belong. Herodotus says of the priests that they in particular received arable land and had it cultivated for rent for the land generally was in the possession of the priests, warriors and kings.

Joseph was a minister of the king according to Holy Scripture and contrived to make him master of all landed property. But the several occupations did not remain so stereotyped as among the Hindus for we find the Israelites who were originally herdsmen employed also as manual labourers and there was a king as stated above who formed an army of manual labourers alone. The castes are not rigidly fixed but

are in a state of rebellion. The warrior caste at one time discontented on account of their not being released from their abodes in the direction of Nubia and desperate at not being able to make use of their lands betake themselves to Meroe and foreign mercenaries are introduced into the country.

Of the *mode of life* among the Egyptians Herodotus supplies a very detailed account giving prominence to everything which appears to him to deviate from Greek manners. Thus the Egyptians had physicians specially devoted to particular diseases, the women were engaged in outdoor occupations while the men remained at home to weave. In one part of Egypt polygamy prevailed in another monogamy, the women had but one garment, the men two, they wash and bathe much and undergo purification every month. All this points to a condition of settled peace. As to arrangements of police the law required that every Egyptian should present himself at a time appointed before the superintendent under whom he lived and state from what resources he obtained his livelihood. If he could not refer to any he was punished with death. This law however was of no earlier date than Amasis. The greatest care moreover was observed in the division of the arable land, as also in planning canals and dikes. Under Shabako the Ethiopian king says Herodotus many cities were elevated by dikes.

The business of *courts of justice* was administered with very great care. They consisted of thirty judges nominated by the district and who chose their own president. Pleadings were conducted in writing and proceeded as far as the rejoinder. Diodorus thinks this plan very effectual in obviating the perverting influence of forensic oratory and of the sympathy of the judges. The latter pronounced sentence silently and in a hieroglyphical manner. Herodotus says that they had a symbol of truth on their breasts and turn ⁴

in judicial business every day. Theft was a crime, but the law commanded that thieves should inform against themselves. If they did so they were not punished, but on the contrary were allowed to keep a fifth part of what they had stolen. This perhaps was deemed to excite and keep in exercise that cunning which the Egyptians were so celebrated for.

The intelligence displayed in their legislative economy appears characteristic of the Egyptians. This intelligence which manifests itself in the practical, we also recognize in the products of art and science. The Egyptians are reported to have divided the year into twelve months and each month into thirty days. At the end of the year they intercalated five additional days. Herodotus says that their arrangement was better than that of the Greeks. The intelligence of the Egyptian especially strikes us in the department of mechanics. Their advances in this branch are so great that they exhibit a knowledge of all things in solid and size—strength of the artistic skill to whose cultivation they could largely devote them-

cordance with the moral arrangement of things already mentioned. But in contemplating the religion of the Egyptians we are surprised by the strangest and most wonderful phenomena and perceive that this calm order of things bound fast by legislative enactments is not like that of the Chinese but that we have here to do with a spirit entirely different—one full of stirring and urgent impulses. We have here the African element in combination with Oriental masses—transplanted to the Mediterranean Sea that grand display of nationalities but in such a manner that here there is no connection with foreign nations—this mode of tumbling into direct appearing usefulness for we have here a prodigious urgent stream within the nationality itself and which within its own circle hoots out into a objective realization of itself in the most monstrous productions. It is

has till, it we an iron band around it

which the citizens did not trouble themselves about the state but their whole attention to their private business. Greeks and Romans must have been especially astonished at such a state of things.

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select society and Plat had been in the state. But in his deals account is taken of the plan of society that is to be adopted and acted upon is not fully completed one—who has everything has been ordered, especially the education and habitation it is necessary to be becoming second nature—as altogether opposed to the natural spirit, which makes an temporary life the object on which it rests. If being the infant impulse of society is firm. This impulse is expressed itself in Egypt in peculiar way. It would appear that as a fact of things so equally so determined in every particular retained something that had peculiarly entirely its own. The introduction of religious element would seem to be the first critical moment, provided the highest ties of men were satisfied would in fact rather expect that it would be introduced in peaceful way and in c-

rest on the different character of the nation. In the world, in which they live and more particularly in the determination of the physical circle which the Nile and the unmarked. These two are strictly connected—the position of the sun and that of the Nile and the Egyptian this is all in all. The Nile is that which essentially determines the boundaries of the country beyond the Nile valley begins the desert on the north Egypt is shut in by the sea and on the south by torrid heat. The first Arab leader that conquered Egypt writes the Caliph Omar Egypt is first a sea of dust then a sea of fresh water. Lastly it is a great sea of flowers. It never rises there towards the end of July dew falls and then the Nile begins to erode its bank and Egypt resembles sea islands. (Herodotus says Egypt during this period, with the islands in the Aegean.) The Nile leaves behind it prodigious multitudes of living creatures then appearing and creeping things innumerable so after man begins to sow the ground, and the harvest is very abundant. Thus the existence of the Egyptian does not depend on the brightness of the sun or the quantity of rain. For him on the contrary the existence only those perfectly adaptations which form the basis of his mode of life and its occupation.

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itself is held to be that Ge- us and thus abstract
tions are changed into concrete concepts
Ammon is regarded as a great divinity with
whom is associated the determination of the

the same way the arts and appliances of human
life are not developed and arranged so as to
form a rational cycle of aims and means. Thus

poorest people is the art of astronomy was also essentially a religious

existence but as particular existence is de-
fined by the powers of nature—characterized
also by intrinsic particularity. And thus the
Egyptians had also specific divinities connected
as spiritual entities and forces but partly
transcendently limited—partly contemplated under
natural symbols

spiritual as manifested in the case of the
the sowing of seed took the same view of the
life of animals. Thus zoölatry is repulsive. We
may reconcile ourselves to the adoration of the
material being but the worship of brutes is
alien to us for the abstract natural element

The Egyptian Hymns exhibit a double aspect as exhib-
iting the spiritual and the material. Accord-
ing to Iamblichus the Egyptian priests immen-
sionally perceived to all the immortals the
same Hymns. Eratosthenes therefore called
his book which treated of the entire religion of
Egypt *Hymns*. Anubis is called the friend and
companion of Osiris. Thales ascribed the
invention of writing and of science generally
—of grammar, astronomy, mathematics
and medicine. It was he who first directed the
day and night, the hours was in order the
first laws of the first instruction, religious ob-
servances as a duty and in gymnastics and
orchestras and it was he who directed the
olympics. But in that day all these spiritual
attributes of divinity is something quite other
than the gods of the Egyptian particular human
religion and as a society of gods with him
not only is but he entirely falls back into
the materialism of existence and degradation
physical symbols. He is presented with a dog's
head as an emblem of degradation, as a mask
a particular emblem of degradation, with
the conception of the divinity of the gods
same time as the gods of the Hymns as
limited aspects of the emblematic and ensu-
ous in the poet's existence embodied in him. It
may be incidentally remarked that the ideas and
material are distinguished from each other in

by means of a copy a higher grade than the

the same time it is not shut up within them
elements. We cannot make out what it is that pos-
sesses these creatures and an object to them.
A black tom cat with glowing eyes and is
wagging now quick and darting motion
has been deemed the presence of a malignant
being—a mysterious reserved power of the gods
the canary bird the contrary appears friendly
of sympathy. The lower animals are the
truly omnipotent. The animal can be by imag-
ination or conception enter into the nature of
a dog whatever resemblance he has to the
has to it remains something altogether
alien to him. It is now determined that the
so-called composite being meets us—no living
being and spirit. But in reality it is only an
attribution of the being to the creature. The com-
posite being for the being itself is the
essence of spirit spirit derstands of compo-
sition. The object of self-consciousness of

There is a definite physical cycle which the Nile pursues and which is connected with the course of the sun the latter advances reaches its culmination and then retrogrades So also does the Nile

This basis of the life of the Egyptians determines moreover the particular

Stoic Chæremón who had been in Egypt explains it in a purely new Platonic regarding a

and thus a pure idealism Each of these representations is one-sided Natural and spiritual powers are regarded as most intimately united—(the free spiritual import however has not been developed at this stage of thought)—but in such a way that the extremes of the antithesis were united in the harshest contrast We have spoken of the Nile of the sun and of the vegetation depending upon them This limited view of nature gives the principle of the religion and its subject matter is primarily a history The Nile and the sun constitute the divinities conceived under human forms and the course of nature and the mythological history is the same In the winter solstice the power of the sun has reached its minimum and must be born anew Thus also Osiris appears as born but he is killed by Typhon his brother enemy

Nile 40 years after him she gathers the scattered bones of Osiris and raises her lamentation for him and all Egypt bewails with her the death of Osiris in a song which Herodotus calls *Maneros* Maneros he reports to have been the only son of the first king of the Egyptians and to have died prematurely this song being also the *Linus* Song of the Greeks and the only song which the Egyptians have Here again pain is regarded as something divine and the same honour is assigned to it here as among the Phœnicians Hermes then embalms Osiris and his grave is shown in various places Osiris is now judge of the dead and lord of the kingdom of the shades These are the leading ideas Osiris the sun the Nile this triplicity of being is united in one knot The sun is the symbol in which Osiris and the history of that god are recognized and the Nile is likewise such a symbol The concrete Egyptian

hoe etc for Osiris gives not only the useful itself—the fertility of the earth—but more over the means of making use of it He also gives men laws a civil order and a religious ritual he thus places in men's hands the means of labour and secures its result

1 heterogeneous duality the phenomena of nature and the spiritual woven together into one knot

The parallelism of the course of human life with the Nile the sun and Osiris is not to be regarded as a mere allegory—as if the principle of birth of increase in strength of the culmination of vigour and fertility of decline and weakness exhibited itself in these different phenomena in an equal or similar way but in this variety imagination conceived only one subject one vitality This unity is however quite abstract the heterogeneous element shows itself therein as pressing and urging and in a confusion which sharply contrasts with Greek perspicuity Osiris represents the

tion None without being each is both the one is explained by the other Thus there arises one pregnant conception composed of many conceptions in which each fundamental nodus retains its individuality so that they are not resolved into a general idea The general idea—the thought itself which forms the bond of analogy—does not present itself to the consciousness purely and freely as such but remains concealed as an internal connection We have a consolidated individuality combining various phenomenal aspects and which on the one hand is fanciful on account of the combination of apparently disparate material but on the other hand internally and essentially connected because these various appearances are a particular prosaic matter of fact

Besides this fundamental conception we observe several special divinities of whom Herodotus reckons three classes Of the first he mentions eight gods of the second twelve of the third an indefinite number who occupy the position towards the unity of Osiris of specific manifestations In the first class fire and its use appears as Phtha also as Kneph who is besides represented as the Good Genius but the Nile

spirit which lies concealed beneath the surface. In the few just given we saw the Egyptian spirit working itself free from natural forms. This urging power of spirit however was not able to rest in the subject conception of that few of things which we have now been considering but was impelled to present itself external to consciousness and outward visible means of art. For the legion of the Eternal One—the formless—art is not only unsatisfying but in its object essentially and exclusively occupied with the contemplation of particular natural forms—being at the same time a striking and plastic spirit—changes the direct natural view e.g. of the Nile the sun etc. to images in which spirit has a share. It is as we have seen symbolizing spirit and as such it endeavours to master the symbolizations and to present them clearly before the mind. The more enigmatical and obscure this to itself so much the more does itself feel the impulse to labour to deliver itself from imprisonment and to gain a clear object for itself.

It is the distinguishing feature of the Egyptian spirit that it stands before us as this mighty

great field of the dead: the plain of Saïs with its walls and vaults thrirdly those wonders of the world the Pyramids whose destination though stated long ago by Herodotus and Diodorus has been only recently expressly confirmed—to the effect that these prodigious crystals with their geometrical regularity contain dead bodies and lastly that most astonishing work the tombs of the kings of which one has been opened by Belzoni in modern times.

It is of essential moment to observe what importance this realm of the dead had for the Egyptians—we may thence gather what idea he had of man. For the dead, man conceives of man as stripped of all accidental wrappings—reduced to his essential nature. But that which a people regard as man in his essential character

is first to express the

the invisible—such as Hades was conceived by the Greeks. This presents itself to men first as the empire of death to the Egyptians as the *realm of the dead*.

The idea that spirit is immortal in itself is the—that the human individual inherently possesses finite actuality. The merely natural appears limited, absolutely dependent upon something other than itself and has its existence in that other but immortality involves the inherent finitude of spirit. This idea is first found among the Egyptians. But it must be added that the soul we know to the Egyptians pervades only a substance that is something concrete and part of the firm with this view is immediately connected the notion of metempsychosis. The death of the individual of man may also become the transition of the body of a brute. Aristotle too speaks of this idea and despatches it in favour of the Egyptians. By which he says has its particular gains for its peculiar mode of action is the myth that carpe te ea hoc for his own craft. In like manner the human soul has its peculiar gain and the body of a brute cannot be its element. Pythagoras adopted the doctrine of metempsychosis but it could not find much

are few kinds his glyphs proposed rather to express language than of force to subject to concept and classes of hieroglyphs of different kinds, those enormous masses of but to disfigure with which Egypt is covered. What among the nations history insists of is the facts—e.g. that the Egyptians of the nineteenth century had only with what quantity of a complicated the subject of the world—the Egyptians had an empirical quality—of achievement in works of art which ruin positions is indestructible durability and more worthy of treatment than all the work of ancient modern times.

Of these I will mention others than those devoted to the dead, and which especially attract our attention. These are enormous carvations in the hills along the Nile—these whose passages and chambers are filled with mummies—subterranean bodies of the largest mining work of the ancient times.

the Egyptians therefore to which the thought of human freedom is not yet revealed worships the soul as still shut up within and dulled by the physical organization and sympathizes with brute life. We find a veneration of mere vitality among other nations also sometimes expressly as among the Hindus and all the Mongolians sometimes in mere traces as among the Jews. Thou shalt not eat the blood of animals for in it is the life of the animal. The Greeks and Romans also regarded birds as specially intelligent believing that what in the human spirit was not revealed the incomprehensible and higher was to be found in them. But among the Egyptians this worship of beasts was carried to excess under the forms of a most stupid and non human superstition. The worship of brutes was among them a matter of particular and detailed arrangement each district had a brute deity of its own—a cat an ibis a crocodile etc. Great establishments were provided for them beautiful *mates* were assigned them and like human beings they were embalmed after death. The bulls were buried but

upon as such. In one of those that have been opened there was found in the most central apartment a beautiful alabaster coffin and on closer examination it was found that the bones inclosed were those of the ox. This reverence for brutes was often carried to the most absurd excess of severity. If a man killed one designedly he was punished with death but even the undesigned killing of some animal might entail death. It is related that once when a Roman in Alexandria killed a cat an insurrection ensued in which the Egyptians murdered the aggressor. They would let human beings perish by famine rather than allow the sacred animals to be killed or the provision made for them trenced upon. Still more than mere vitality the universal *vis viva* of productive nature was venerated in a phallus worship which the Greeks also adopted into the rites paid by them to Dionysus. With this worship the greatest excesses were connected.

The brute form is on the other hand turned into a symbol it is also partly degraded to a mere hieroglyphical sign. I refer here to the innumerable figures on the Egyptian monuments of sparrow hawks or falcons dung beetles scarabs etc. It is not known what ideas such figures symbolized and we can scarcely think that a satisfactory view of this very obscure subject

is attainable. The dung beetle is said to be the symbol of generation of the sun and its course the Ibis that of the Nile's overflowing birds of the hawk tribe of prophecy of the year of pity. The strangeness of these combinations results from the circumstance that we have not as in our idea of poetical invention a general conception embodied in an image but conversely we begin with a concept in the sphere of sense and imagination conducts us into the same sphere again. But we observe the conception liberating itself from the direct animal form and the continued contemplation of it and that which was only surmised and aimed at in that form advancing to comprehensibility and conceivable.

—or as male sphinxes (*ἰδρὸσφγγες*) with beards—are evidence supporting the view that the meaning of the spiritual is the problem which the Egyptians proposed to themselves as the enigma generally is not the utterance of something unknown but is the challenge to discover it—implying a wish to be revealed. But conversely the human form is also disfigured by a brute face with the view of giving it a specific and definite expression. The refined art of Greece is able to attain a specific expression through the spiritual character given to an image in the form of beauty and does not need to deform the human face in order to be understood. The Egyptians appended an explanation to the human forms even of the gods by means of heads and masks of brutes. Anubis e.g. has a dog's head Isis a lion's head with bull's horns etc. The priests also in performing their functions are masked as falcons jackals bulls etc. in the same way the surgeon who has taken out the bowels of the dead (represented as fleam) for he has laid sacrilegious hands on an object once hallowed by life) so also the embalmers and the scribes. The sparrow hawk with a human head and outspread wings denotes the soul flying through material space in order to animate a new body. The Egyptian imagination also created new forms—combinations of different animals serpents with bulls and rams heads bodies of lions with rams heads etc.

We thus see Egypt intellectually confined by a narrow involved close view of nature but breaking through this impelling it to self contradiction and proposing to itself the problem which that contradiction implies. The principle does not remain satisfied with its primary conditions but points to that other meaning and

represented as having himself become Osiris and in deciphering the hieroglyphs the idea has been suggested that the kings are called gods. The human and the divine are thus exhibited as one and the same.

If in conclusion we combine what has been said here of the peculiarities of the Egyptian spirit in all its aspects its pervading principle is the elements of reality

of nature and spirit—not the primary immediate unity of the concrete unity where nature is posited only as basis for the manifestation of spirit in contrast with the first and cond of these unities the Egyptian unity combining contradictory elements occupies a middle place. The two degrees of the unity are held in abstract independence of each other and their relation presented only as a problem. We have therefore on the one side prodigious confusion and limitation of the particular barbarous sensualism with African hardness zoology and sensual enjoyment. It is stated that, in a public market-place sodomy was committed by a woman with a goat. Juvenal relates that human flesh was eaten and human blood drunk out of revenge. The other side is the struggle of spirit for liberation fancy displayed in the forms created by it together with the abstract understanding of man in the mechanical labors connected with their production. The same in literature—both power of thinking form of intellect disintegrated and that tends to thoughtfulness which can rise above mere phenomena—shows itself in the urpolitic and the mechanical of the state in agricultural economy and in the contrasts of this and the events with which the customs bind them and the supervision of which humanity among them is in a really subject. With a clear understanding of the present is connected the highest degree of impulsiveness daring and turbulence. These features combined in the times when Herodotus relates of the Egyptians. They much resemble the tales of the *Thousand and One Nights* and although these have Baghdad as the locality of their narrations their origin is more limited to this luxurious court than to the Arabian people but must be partly traced to Egypt—as Von Hammer also thinks. The Arabian world that is than the fanatical and enigmatic from there described is thus much more impulsive and direct. Love martial daring the hero the world of the daily objects of the

poetry peculiar to the Arabians.

Transit on to the Greek World

The Egyptian spirit has shown itself to us as in all respects shut up within the limits of particular concepts and, as it were, imbruted in them but likewise stirring itself within these limits passing restlessly from one particular form into another. This spirit never rises to the universal and higher for it seems to be blind and that it does it ever withdraw into itself yet it symbolizes freely and boldly with particular elements and has already mastered it. All that is now required is to posit that particular existence—which contains the germ of idealty—as ideal and to comprehend universality itself which is already potentially liberated from the particulars in doing it. It is the free joyful spirit of

children. We may say on the contrary that the Egyptians are for us boys eager for self-comprehension who require nothing but learning deriding of themselves in an ideal form more

isolved in infinite embroilment it remains contented with itself. The rugged Africa nature disintegrated that primitive unit and light d upon the problem whose solution is free spirit.

That the spirit of the Egyptians presented itself to the consciousness in the form of

The inscription indicates the principle of the

lear to itself is therefore the result of and the solution of the problem in question. This duty of spirit—the so-called the so-called night loving the unity. In the Egyptian North truth is still a problem. The Greek Apollo is its solution. Hence the saying: *Man know thyself*. In this dictum is not intended a self-recognition that regards the specialities of one's own weakness and defects it is the individual that is dominated to be acquainted with his idiosyncrasy but humanity in general summed up in self-knowledge. This mandate was given to

support among the Greeks who held rather to the concrete. The Hindus have also an indistinct conception of this doctrine inasmuch as with them the final attainment is absorption in the universal substance. But with the Egyptians the soul—the spirit—is at any rate a distinct being altho

The period was fixed at

however that a soul which had remained faithful to *Oiris* was not subject to such a degradation—for such they deem it

It is well known that the Egyptians embalmed their dead and thus imparted such a degree of permanence that they have been preserved even to the present day and may continue as they are for many centuries to come. This indeed seems inconsistent with their idea of immortality for if the soul has an independent existence the permanence of the body seems a matter of indifference. But on the other hand it may be said that if the soul is recognized as a permanent existence honour should be shown to the body as its former abode. The Parsees lay the bodies of the dead in exposed places to be devoured by birds but among them the soul is regarded as passing forth into universal existence. Where the soul is supposed to enjoy continued existence the body must also be considered to have some kind of connect

ance. Among mortality of

spirit is in and for itself eternal its destiny is eternal blessedness. The Egyptians made their dead into mummies and did not occupy themselves further with them no honour was paid them beyond this. Herodotus relates of the Egyptians that when any person died the women went about loudly lamenting but the idea of immortality is not regarded in the light of a consolation among us

From what was said above respecting the works for the dead it is evident that the Egyptians and especially their kings made it the business of their life to build their sepulchre and to give their bodies a permanent abode. It is remarkable that what had been needed for the business of life was buried with the dead. Thus the craftsman had his tools designs on the coffin show the occupation to which the deceased had devoted himself so that we are able to become acquainted with him in all the minutæ of his condition and employment. Many mummies have been found with a roll of papyrus under their arm and this was formerly regarded as a remarkable treasure. But these rolls contain only

various representations of the pursuits of life together

They have been

chase relating to pieces of ground and the like in which everything is most minutely recorded, even the duties that had to be paid to the royal chancery on the occasion. What therefore a person bought during his life is made to accompany him in the shape of a legal document in death. In this monumental way we are made acquainted with the private life of the Egyptians

pa

tat

in the realm of the dead *Oiris* with *Isis* behind him appears holding a balance while before him stands the soul of the deceased. But judgment was passed on the dead by the living themselves and that not merely in the case of private persons but even of kings. The tomb of a certain king has been discovered—very large and elaborate in its architecture—in whose hieroglyphs the name of the principal person is obliterated while in the bas reliefs and pictorial designs the chief figure is erased. This has been explained to import that the honour of being thus immortalized was refused this king by the sentence of the court of the dead

If death thus haunted the minds of the Egyptians during life it might be supposed that their disposition was melancholy. But the thought of death by no means occasioned depression. At banquets they had representations of the dead (as Herodotus relates) with the admonition

Eat and drink—such a one wilt thou become when thou art dead. Death was thus to them rather a call to enjoy life. *Oiris* himself dies and goes down into the realm of death according to the above mentioned Egyptian myth. In many places in Egypt the sacred grave of *Oiris* was exhibited. But he was also represented as president of the kingdom of the invisible sphere and as judge of the dead in it later on *Serapis* exercised this function in his place. Of *Anubis* *Hermes* the myth says that he embalmed the body of *Osiris* this *Anubis* sustained also the office of leader of the souls of the dead and in the pictorial representations he stands with a writing tablet in his hand by the side of *Osiris*. The reception of the dead into the kingdom of *Osiris* had also a profounder import so that the individual was united with *Osiris*. On the lids of the sarcophagi therefore the defunct is

SECOND PART

THE GREEK WORLD

Among the Greeks we find ourselves immediately at home for we are in the ego of spirit and through the origin of the nation also its philological peculiarities may be traced farthest—even to the depths of the proper meaning of the true
man look down on Greece

fantastic unteachable conception. On the contrary
his youth Alexander the freest and

was an ultimate aim—presenting thus a inherently incomplete immature form of being then most defective when it would deem itself perfect—but it insists that you think

We have then to distinguish the period in Greek history the first that of the growth of real individuality the second that of its independence and prosperity in external conquest (through contact with the previous world historical people) and the third the period of its decline and fall in its encounter with the succeeding organ of world history. The period forms a right to its internal completeness (that

is in arm to put down to the
—in unity which would it right to spirit
Greece present to us the chief aspect of
so this life is a spiritual vitality. It is
the first that demands spirit in itself the
totality of it but it knows the
is a way that that family law is
with the same in objects made at by indi-
duality but the latter duality by
virtue of the mass. The mass the other
has dedicated his life to labor for the
man who has preserved it by the
the history of it

The high form that flared before Greek
imagination was Achilles the so forth poet
the Homeric youth of the Trojan War. He is
the lemma in which the Greek world is
made sense. The Greek life truly
youthful human. Achilles the deadly
fury of the immortal Alexander the Great
the deadly the fatal on the death. But the
people that with Achilles is the
principal figure the national expeditions of
the Greeks against Troy does not end at its
head but is by the the chief of chiefs
cannot be made the leader without becoming

element into its primary situation and it has a
double culture the original the other of foreign
suggestion. The uniting of these two elements

But while the nation divides its energies of
was the business unfaithful to its principles the
born a distinct dissension follows upon the
ceasing of the external excitement. In art and
science too thus shows itself the epistrophe
of the decline of the realm. Here is the point of
decline. The third period is that of ruin through
contact with the nation that embodies a higher
spirit. The same process may be stated of
fall will meet us in the life of every world
historical people

Section I

THE ELEMENTS OF THE GREEK SPIRIT

Greek the substantial which is at the same
time ideal. The universal as such is over

the Greeks and in the Greek spirit humanity exhibits itself in its clear and developed condition. Wonderfully then must the Greek legend surprise us which relates that the Sphinx—the great Egyptian symbol—appeared in Thebes uttering the words: What is that which in the morning goes on four legs, at midday on two, and in the evening on three? *Œdipus* given the solution *man* precipitated the Sphinx from the rock. The solution and liberation of that Oriental spirit which in Egypt had advanced so far as to propose the problem is certainly this: that the inner being of nature is thought which has its existence only in the human consciousness. But that time honoured antique solution given by *Œdipus* who thus shows himself possessed of knowledge is connected with a dire ignorance of the character of his own actions. The rise of spiritual illumination in the old royal house is disparaged by connection with abominations, the result of ignorance, and that primeval royalty must in order to attain true knowledge and moral clearness first be brought into shapely form and be harmonized with the spirit of the beautiful by civil laws and political freedom.

historical transition takes place when the Persian world comes in contact with the Greek. Here for the first time an historical transition meets us: in the fall of an empire China and India as already mentioned have remained—Persia has not. The transition to Greece is indeed internal, but here it shows itself also externally as a transmission of sovereignty—an occurrence which from this time forward is ever and anon repeated. For the Greeks surrender the sceptre of dominion and of civilization to the Romans, and the Romans are subdued by the Germans. If we examine this fact of transition more closely, the question suggests itself—for example in this first case of the kind is Persia—why it sank while China and India remain. In the first place we must here banish from our minds the prejudice in favour of duration as if it had any advantage as compared with transience: the imperishable mountains are not superior to the quickly dismantled

a higher grade than those worlds immersed in the natural. The necessity of advance has been thereby proclaimed. Spirit has disclosed its existence and must complete its development. It is only when dead that the Chinese is held in reverence. The Hindu kills himself, becomes absorbed in Brahman, undergoes a living death in the condition of perfect unconsciousness or is a present god in virtue of his birth. Here we have no change, no advance is admissible for progress is only possible through the recognition of the independence of spirit. With the light of the Persians begins a spiritual view of things and here spirit bids adieu to nature. It is here then that we first find (as occasion called us to notice above) that the objective world remains free—that the nations are not enslaved but are left in possession of their wealth, their political constitution and their religion. And indeed this is the side on which Persia itself shows weakness as compared with Greece. For we see that the Persians could erect no empire possessing complete organization that they could not in form the conquered lands with their principle and were unable to make them into a harmonious whole but were obliged to be content with an aggregate of the most diverse individualities. Among these nations the Persians secured no inward recognition of the legitimacy of their rule: they could not establish their legal principles of enactments and in organizing their dominion they only considered themselves not the whole extent of their empire. Thus as Persia did not constitute politically *one spirit* it appeared weak in contrast with Greece. It was not the effeminacy of the Persians (although perhaps Babylon infused an enervating element) that ruined them but the unwieldy unorganized character of their host as matched against Greek organization: the superior principle overcame the inferior. The abstract principle of the Persians displayed its defectiveness as an unorganized incompact union of disparate contradictories in which the Persian doctrine of light stood side by side with Syrian voluptuousness and luxury with the activity and courage of the sea-braving Phœnicians, the abstraction of pure thought in the Jewish Religion and the mental unrest of Egypt, an aggregate of elements which awaited their idealization and could receive it only in *free individuality*. The Greeks must be looked upon as the people in whom the elements interpenetrated each other, spirit became intropective, triumphed over particularity and thereby emancipated itself.

principle of separation from nature is found in the Persian Empire which therefore occupies

peculiar subject of plunder and even after arms were had become more general, men were still entrapped and led to slavery. In depicting this general condition of Greece, Thucydides goes still further in detail.

Greece, then, was in this state of turbulence, insecurity and rapine, and its tribes were continually migrating.

The other element in which the national life of the Hellenes was affected, was the sea. The physique of their country led them to this amphibious existence and allowed them to roam freely over the land—as they spread themselves freely over the land—not roving about like the nomad peoples nor torpidly vegetating like those of the river districts. Piracy not trade was the chief object of maritime occupations and, as we gather from Homer, it was not yet reckoned disgraceful. The ascription of piracy is ascribed to Minos and Crete is renowned as the land where security was first enjoyed for there the state of things which we meet with again in parts was early realized, viz. the establishment in power of one party and the subjugation of the other which was compelled to obey and work for it.

We have just spoken of heterogeneity as an element in the Greek spirit, and it is well known that the Greek colonies that are on

descend from us Danae and Perseus Pelops is said to have brought great wealth with him to the Peloponnesus, and to have acquired great respect and power there. Danaos settled in Argos. Especially important is the arrival of Cadmus of Phoenician origin, with whom phonetic writing is said to have been introduced into Greece. Herodotus refers to Phoenicia and ancient inscriptions then extant are cited to support the assertion. Cadmus according to the legend, founded Thebes.

We thus observe a colonization by civilized peoples who were in advance of the Greeks in point of culture though we cannot compare this colonization with that of the English in North America, for the latter have not been blended with the aborigines, but have dispossessed them wherever in the case of the settlers in Greece the adventures and autochthonic elements were mixed together. The date assigned to the arrival of these colonists is very remote—about fourteenth and fifteenth century before Christ. Cadmus is said to have founded Thebes about 1900 B.C., a date with which the Exodus of Moses from Egypt (1500 B.C.) nearly coincides. Amphictiony is also mentioned among the founders of Greek institutions. He is said to have established at Thermopylae a union between many small tribes of Hellas proper and Thessaly—

Amphictiony which the great Amphictyonic league is said to have originated.

These references, then, are reputed to have established fixed centers in Greece, the erection of fortresses and the founding of royal houses. In Argos the walls of which the ancient fortresses consisted, were called Cyclopaean, some of them have been discovered even in recent times, and on account of their solidity they are indestructible.

These walls consist partly of irregular blocks whose in crevices are filled up with small stones—partly of masses of stones carefully fitted in on each other. The walls are those of Tiryns and Mycenae. Even now the gate with the lions of Mycenae can be recognized by the description of Pausanias. It is stated of Pericles who ruled in Argos that he brought with him from Lycia the Cyclopes who built these walls. It is, however, supposed that they were erected by the ancient Pelagians. To the fortresses protected by such walls the princes of the heroic times generally attached their dwellings. Especially remarkable are the treasure houses built by them, such as the Treasury-house of Minus at Orchomenus and that of Atreus at Mycenae. These fortresses then, were the nuclei of small states

then in mythology we have definite records of the introduction of agriculture by Triptolemus who was married by Ceres. Of the institution of marriage etc. From them whose origin is referred to the distant Caucasus is celebrated as having first taught men the production and the use of fire. The introduction of iron was likewise of great importance to the Greeks and when Homer speaks only of bronze. Aeschylus calls Scythian. The introduction of the art of spinning and weaving and the creation of the horse by Poseidon, belong to the same category.

More historical than these rudiments of culture is the alleged arrival of foreigners, tradition tells us that the Argives were founded by such foreigners. Thus Athens owes its origin to Cecrops an Egyptian whose history however is now filled in obscurely. The race of Demetrius the son of Polonius is brought in connection with the various Greek tribes Pelops of Phrygia the son of Tantalus is also mentioned next, Danaos from Egypt from him

come the submersion in nature no longer exists and consentaneously the unwieldy character of *geographical* relations has also vanished. The country now under consideration is a section of territory spreading itself in various forms through the sea—a multitude of islands and a continent which itself exhibits insular features. The Peloponnesus is connected with the continent only by a narrow isthmus; the whole of Greece is indented by bays in numberless shapes. The partition into small divisions of territory is the universal characteristic while at the same time the relationship and connection between them is facilitated by the sea. We find here mountains, plains, valleys and streams of limited extent; no great river; no absolute valley plain presents itself; but the ground is diversified by mountains and rivers in such a way as to allow no prominence to a single massive feature. We see no such display of physical grandeur as is exhibited in the East; no stream such as the Ganges, the Indus, etc., on whose plains a race delivered over to monotony is stimulated to no change because its horizon always exhibits one unvarying form. On the contrary that divided and multiform character everywhere prevails which perfectly corresponds with the varied life of Greek races and the versatility of the Greek spirit.

This is the *elementary character* of the spirit of the Greeks implying the origination of their culture from independent individualities, a condition in which individuals take their own ground and are not from the very beginning patriarchally united by a bond of *nature* but realize a union through some other medium—through law and custom having the sanction of spirit. For beyond all other nations that of Greece attained its form by *growth*. At the origin of their national unity separation as a generic feature—inherent *distinctness* of character—is the chief point that has to be considered. The first phase in the subjugation of this constitutes the primary period of Greek culture and only

a clear conception. It is a superficial and absurd idea that such a beautiful and truly free life can be produced by a process so incomplex as the development of a race keeping within the limits of blood relationship and friendship. Even the

that spirit can have is itself spiritual; its inherent heterogeneity through which alone it acquires the power of realizing itself as spirit. The history of Greece exhibits at its commencement this interchange and mixture of partly homesprung partly quite foreign stocks and it was Attica itself whose people was destined to attain the acme of Hellenic bloom that was the asylum of the most various stocks and families. Every world historical people except the Asiatic kingdoms which stands detached from the grand historical *catena* has been formed in this way. Thus the Greeks like the Romans developed themselves from a *colluvies*—a conflux of the most various nations. Of the multitude of tribes which we meet in Greece we cannot say which was the original Greek people and which immigrated from foreign lands and distant parts of the globe for the period of which we speak belongs entirely to the unhistorical and obscure. The *Pelasgi* were at that time a principal race in Greece. The most various attempts have been made by the learned to harmonize the confused and contradictory account which we have respecting them, a hazy and obscure period being a special object and stimulus to erudition. Remarkable as the earliest centres of incipient culture are Thrace, the native land of Orpheus and Thessaly, countries which at a later date retreated more or less into the background. From Phthiotis the country of Achilles proceeds the common name *Hellenes*—a name which as Thucydides remarks presents itself as little in Homer in this comprehensive sense as the term *Barbarians* from whom the Greeks were not yet clearly distinguished. It must be left to special history to trace the several tribes and their transformations. In general we may assume that the tribes and individuals were prone to leave their country when too great a population occupied it and that consequently these tribes were in a migratory condition and practised mutual depredation. Even now says the discerning Thucydides the Ozolian Locrians the Ætolians and Acarnanians retain their ancient mode of life, the custom of carrying weapons too has maintained itself among them as a relic of their ancient predatory habits. Respecting the Athenians he says that they were the first who laid aside arms in time of peace. In such a state of things agriculture was not pursued; the inhabitants had not only to defend themselves against freebooters but also to contend with wild beasts (even in Herodotus's time many lions infested the banks of the Nestus and Achelous) at a later time tame cattle became es-

light, air and water. The only real antithesis

The royal houses perished partly as the co

pears separated from the jail houses and these are regarded as an alien body a high race fighting out the battles and undergoing the penalties of their fate for themselves also the Royalty having performed that which it had to perform they rendered itself superfluous The several dynasties are the agents of their own destruction, no penitents the result of animosity of struggles on the side of the people with the families of the sovereigns re left in calm enjoyment of their power — proof that the democratic government which followed is not regarded as anything abnormally dire. How sharply do the annals of other times contrast with this.

This fall of the royal houses occurs first the T'jan W. and many changes now present themselves. The Plonnesus was conquered by the Hraidx which introduced a calmer life than which was not gain interrupted by the constant migrations of races. The history now becomes more accurate and though several occurrences of the T'jan W. are very curiously described it is without any respect to the important transaction of the time which finally won for a space many centuries united and it king distinguishes them unless we regard as such that of which the Cyclopes speak. The war between the Chalchids and Etrians in Eboes in which many nations took part. The town of Egelat in isolation most distinguish themselves by war with their neighbors yet they prospered in this isolated district by means of

the colonies sent out in every direction. The
Athens colonized Ionia and several islands and
colonies from the Peloponnese settled in Italy
and Sicily. Colonies on the other hand, became
relatively mother states e.g. Miletus which
founded many cities on the Propontis and the
Black Sea. Thus ending out of colonies espe-
cially during the period between the Trojan
War and Cyrus presents us with a remarkable
phenomenon. It can be thus explained. In the
several towns the people had the governmental
power in their hands since they gave the final
decision in political affairs. In consequence of
the long republic enjoyed by them, the popula-
tion and the development of the community ad-
vanced rapidly and the immediate result was
the amassing of great riches contemporarily
with which fact grew the want and poverty mak-
ing their appearance. I do try in our time did not
exist and the lands were soon occupied. Never-
theless a part of the poorer classes would not
submit to the degradations of poverty for
everyone felt himself free citizen. The only
expedient therefore that remained, was coloni-
zation. In another country those who were
dispossessed in their own might seek a free soil and
gain a living as free citizens by its cultivation.
Colonization thus became a means of maintain-
ing some degree of equality among the citizens
but this means is only a palliative and the origi-
nal inequality found on the day of the
property immediately reappears. The old pos-
sibilities were kindled with fresh flames and
riches were made use of for securing
power thus tyranny gained ascendancy in the
cities of Greece. Thucydides says: "When Greece
increased in riches tyrants arose in the cities
and the Greeks devoted themselves more
easily to this end. At the time of Cyrus the
tyrants of Greece acquired a peculiar interest
in the numerous states now displaying their
particular characteristics. This is the date too of the

they gave a greater security to agriculture they protected commercial intercourse against robbery. They were however as Thucydides informs us not placed in the immediate vicinity of the sea on account of piracy maritime towns being of later date. Thus with those royal abodes originated the firm establishment of society. The relation of princes to subjects and to each other we learn best from Homer. It did not depend on a state of things established by law but on superiority in riches possessions martial accoutrements personal bravery pre-eminence in insight and wisdom and lastly on descent and ancestry for the princes as heroes were regarded as of a higher race. Their subjects obeyed them not as distinguished from them by conditions of caste nor as in a state of serfdom nor in the patriarchal relation—according to which the chief is only the head of the tribe or family to which all belong—nor yet as the result of the express necessity for a constitutional government but only from the need universally felt of being held together and of obeying a ruler accustomed to command—without envy and ill will towards him. The prince has just so much personal authority as he possesses the ability to acquire and to assert but as this superiority is only the individually heroic resting on personal merit it does not continue long. Thus in Homer we see the suitors of Penelope taking possession of the property of the absent Ulysses without showing the slightest respect to his son Achilles in his inquiries about his father when Ulysses descends to Hades indicates the supposition that as he is old he will be no longer honoured. Manners are still very simple: princes prepare their own repasts and Ulysses labours at the construction of his own house. In Homer's *Iliad* we find a king of kings a generalissimo in the great national undertaking but the other magnates environ him as a freely deliberating council the prince is honoured but he is obliged to arrange everything to the satisfaction of the others he indulges in violent conduct towards Achilles but in revenge the latter withdraws from the struggle. Equally lax is the relation of the several chiefs to the people at large among whom there are always individuals who claim attention and respect. The various peoples do

the father of the gods but each one of them has his own will. Zeus respects them and they him he may sometimes cold and threaten them and they then allow his will to prevail or retreat grumbling but they do not permit matters to come to an extremity and Zeus so arranges matters on the whole—by making this concession to one that to another—as to produce satisfaction. In the terrestrial as well as in the Olympian world there is therefore only a lax bond of unity maintained royalty has not yet become monarchy for it is only in a more extensive society that the need of the latter is felt.

While this state of things prevailed and social relations were such as have been described that striking and great event took place—the union of the whole of Greece in a national undertaking viz. the Trojan War with which began that more extensive connection with Asia which had very important results for the Greek. (The expedition of Jason to Colchis also mentioned by the poets and which bears an earlier date was as compared with the war of Troy a very limited and isolated undertaking.) The occasion of that united expedition is said to have been the violation of the laws of hospitality by the son of an Asiatic prince in carrying off the wife of his host. Agamemnon assembles the princes of Greece through the power and influence which he possesses. Thucydides ascribes his authority to his hereditary sovereignty combined with naval power (*Iliad* ii 108) in which he was far superior to the rest. It appears however that the combination was effected without external compulsion and that the whole armament was convened simply on the strength of individual consent. The Hellenes were then brought to act unitedly to an extent of which there is no subsequent example. The result of their exertions was the conquest and destruction of Troy though they had no design of making it a permanent possession. No external result therefore in the way of settlement ensued any more than an enduring political union as the effect of the uniting of the nation in the accomplishment of this single achievement. But the poet supplied an imperishable portraiture of their youth and of their national spirit to the imagination of the Greek people and the picture of this beautiful human heroism hovered as a directing ideal before their whole development and culture. So likewise in the *mid-dle ages* we see the whole of Christendom united to attain one object—the conquest of the Holy Sepulchre but in spite of all the victories achieved with just as little permanent result.

companions of their honored chieftain as witnesses of his exploits and his defenders in peril. A perfect resemblance to these relations is also presented in the Greek Pantheon. Zeus is

The Crusades are the Trojan War of newly
 awakened Christendom waged against the sim-
 ple but magnificent clearness of Mohammedan
 25m

The royal household spent, partly at the con-

trade a kind of progress to which their being

time is proved according to history and also the colonies set out in every direction. Thus Athens colonized Ionian and several islands and colonies from the Peloponneseus settled in Italy.

nothing in common between them the people have to direct gaze but to only appeal to the gods. Such hero can sometimes as those of the prince inquisitor on a so remarkably suited subjects of dramatic art on this very account that they form their resolute independence.

fighting at the battles and undergoing the penalties of their fate for themselves alone. Royalty having performed that which it had to perform thereby rendered itself useful to the raldyn states the agents of the world structure perpetuates the result of a minority of the gglis in the midst of the people through the families of the veegus a left in the enjoyment of their power — proof that the dominant government which followed was not regarded as something absolutely due. How hardly do the annals of other times contrast with this!

The fall of the royal house so swift the
 T. J. W. a d m n y ch nges now p e e t
 them l es Th P l p o e us wa co quer d
 b the He acld e wh int d ed l m st t
 of th s which wa not g n int rupt d by
 the ssa t m g r t o s of races Th h st ry
 n w b e omes m e obscure and th gh th
 er l occur es of the T. J. W e ery c
 cum tually desc b d to us e unce ta
 respe ling the imp t t tra sactio f th
 tim unim diately f ll wing so p c f m y
 e nes No un t d und rtak g d t g uishe
 them nles w g d a h th t of wh ch
 Th yid s p ak s the w betwe the
 Ch l dians and E t ians Euboea in wh ch

ally during the period between the Trojan War and Cyrus presents us with a remarkable phenomenon. It can be thus explained. In the several towns the people had the governmental power in their hands since they gave the final decisions in political affairs. In consequence of the long repose enjoyed by them the population and the development of the community advanced rapidly and the immediate results were the amassing of great riches contemporaneously with which fact great want and poverty mingle their appearance. Industry in our sense did not exist and the lands were unconquered. Nevertheless a part of the poorer classes would not submit to the degradation of poverty for everyone felt himself a free citizen. The only expedient therefore that remained, was to abolish it. In another country those who suffered distress in their own might seek a free land and gain in life as free citizens by its cultivation. Colonialism thus became a means of maintaining a degree of equality among the citizens but thus means only a palliative and the original inequality founded on the difference of property immediately reappears. The old passions were kindled with fresh violence and rich swarmed so madly for securing power thus tyrants gained ascendancy in the cities of Greece. Thucydides says, "When as divided in riches tyrants arose in the cities and the Greek devoted themselves more easily to this." At the time of Cyrus the history of Greece acquires its peculiar interest with the aristocratic states now displaying the particular character. This is the destiny of the

physical condition of the country does not exhibit such a characteristic unity such a uniform mass as to exercise a powerful influence over the inhabitants. On the contrary it is diversified and produces no decided impression. Nor have we here the unwieldy unity of a family or national combination but in the presence of scenery and displays of elemental power broken up into fragmentary forms men's attention is more largely directed to themselves and to the extension of their immature capabilities. Thus we see the Greeks divided and separated from each other thrown back upon their inner spirit and personal energy yet at the same time most variously excited and cautiously circumspect. We behold them quite undetermined and irresolute in the presence of nature dependent on its contingencies and listening anxiously to each signal from the external world but on the other hand intelligently taking cognizance of and appropriating that outward existence and showing boldness and independent vigour in contending with it. These are the simple elements of their culture and religion. In tracing up their mythological conceptions we find natural objects forming the basis—not *en masse* however only in dis severed forms. The Diana of Ephesus (that is nature as the universal mother) the Cybele and Astarte of Syria—such comprehensive conceptions remained Asiatic and were not transmitted to Greece. For the Greeks only *watch* the objects of nature and form *surmises* respecting them inquiring in the depth of their souls for the hidden meaning. According to Aristotle's dictum that philosophy proceeds from wonder the Greek view of nature also proceeds from wonder of this kind. Not that in their experience spirit meets something extraordinary which it compares with the common order of things for the intelligent view of a regular course of nature and the reference of phenomena to that standard do not yet present themselves but the Greek spirit was excited to wonder at the *natural* in nature. It does not maintain the position of stupid indifference to it as something existing and there an end of it but regards it as something in the first instance foreign in which however it has a presentiment of confidence and the belief that it bears something within it which is friendly to the human spirit and to which it may be permitted to sustain a positive relation. This *wonder* and this *presentiment* are here the fundamental categories though the Hellenes did not content themselves with these moods of feelings but projected the hidden meaning which was the

subject of the surmise into a distinct conception as an object of consciousness. The natural holds its place in their mind only after undergoing some transformation by spirit—not immediately. Man regards nature only as an excitement to his faculties and only the spiritual which he has evolved from it can have any influence over him. Nor is this commencement of the spiritual apprehension of nature to be regarded as an explanation suggested by us it meets us in a multitude of conceptions formed by the Greeks themselves. The position of curious surmise of attentive eagerness to catch the meaning of nature is indicated to us in the comprehensive idea of *Pan*. To the Greeks *Pan* did not represent the *objective* whole but that in definite neutral ground which involves the element of the *subjective* he embodies that thrill which pervades us in the silence of the forests he was therefore especially worshipped in sylvan Arcadia (a panic terror is the common expression for a groundless fright). *Pan* this thrill exciting being is also represented as playing on the flute we have not the bare internal presentiment for *Pan* makes himself audible on the seven reeded pipe. In what has been stated we have on the one hand the indefinite which however holds communication with man on the other hand the fact that such communication is only a subjective imagining an explanation furnished by the percipient himself. On the same principle the Greeks listened to the murmuring of the fountains and asked what might be thereby signified but the signification which they were led to attach to it was not the objective meaning of the fountain but the subjective—that of the subject itself which further exalts the Naiad to a Muse. The naiad or fountains are the external objective origin of the Muses yet the immortal songs of the Muses are not that which is heard in the murmuring of the fountains they are the productions of the thoughtfully listening spirit *creative* while *ob-servant*. The interpretation and explanation of nature and its transformations the indication of

relationship to nature *Natural* has reference both to the matter of the exposition and to the expounder who divines the weighty import in question. Plato speaks of it in reference to dreams and to that delirium into which men fall during sickness an interpreter *μῦθος* wanted to explain the dreams and this delir

num. That n tu e answe ed the questions which
th G eek put to h r is i this c n e se sense
true that he obt med an a swe to the q es
tio of n t e from his own p rit The ins ght
of th r become the by purely po ti al
epi t supplies the s gnification which th nat
ural m g exp esses E erywhe e the Greeks

th t restrained him When Ulysses among the
Phæa t ns has thrown his d scus farther than
the rest nd one of the Phæaciens shows a
friendly di. pos t on tow rds him the poet rec

wh lined ths row f Achilles i ent g
t to cam ov r the ea the Gre ks were n
th point f dispersin in terr r when the ex
pe d Nesto a se and t rp ted the phe
nom o to th m Thet s he sa d was comi g
with h r nymphs t lame t fo the death of
he son When a pestile ce b k o t in th
camp f th G ks th priest Calchas ex
plained that Apoll wa m ens d at th r n t
ha ng r to ed the da bit of his prie t Chry
ses when a ransom had b offe ed. The oracle
was rignally int rp et d exactly in this way
The ldest ora le was at D d a (in the dis
trict of th modern Janu) H dotus says
that th first priestesses of the templ th
w f m Egypt yet th temple tated t
be an ancient G eek e Th ru thn, f the
lea es f the sacr d oaks was th form of p g
out cat th e B wis of m tal w eals us
pended in th grove B t the sou ds of th bowls
da. hung agauit h th we e quite indefinit
d had o bjectu ense th ense th s
nificat was impart d t the s unds only by
the hums bes gs wh hea d them Thus Iso
th D lphu priestes es in a en les distracted
tat in the intoxicati f enthusia m (μᾶ)
uttered unelligible unds and t wa th
parri who ga t thes it ran es a definite
means g In th ca e f T ophoni the n use
f btterranean w t rs was h d, and ppari
ti ns seen b t these indefinite phen mena
qued means g nly thro gh the interp t
ing mp rehending p rit It must be b
served, that these e item is f p rit e in
th first in. tan external, natural impulses Cu
red. g them int rnal hanges taking place
in th human being him. If—e b s dreams
th delirium f the D lphu priest s—which
qu t be made int lligible by th parri At
th commencement f th Iliad Achilles is ex
cit d agauit Agamemn n, and is on th po t
f drawing his swo d b t dden he checks
th mov ment f his rm d ec llects himself
in hi wra h ect g on his relati n t Aga
memn On The poet explains this by sayin that
t wa P las A hem (wisdom on sideration)

poets were n this way the teachers of the G eeks
—espec lly Homer M t n fact is poesy
not a caprici us ind lgence of f ncy but an
m ginatio which int oduces the sp ritual int
the natural—in hort a richly intelligent per
cept on. The Greek pint on the whole there
fo is fr e f om superstitio snce t cha ges
the sensu s i to the ens ble—the intellectual
so that d casous are deri ed from spirit al
th ough superstitio comes again from anothe
quarter s will b observed when impuls ns
f m another sou ce than the sp ritual are al
lowed to tell upon opinion nd action.

But th stimuli that op rated on the sp rit
of the G eeks are not to be limited to these ob
je t e and subje ti e exc t ments Th tr d
tio al element deri ed f om f re gn countries
th cult re the di nities d ritual observa ces
transmitted to them ab tra must l be in
cluded It has bee lo g a much vexed ques
ti wheth r the arts and the r ligion of the
G eeks we e developed indepe de lly or thro gh

go y for th G eeks and s gn d to th gods
th ir ppropnat ep th is (a mo t we ghty sen
ten whi h ha be th subject of deep in
tig tuo e pe ally by C uze) d in another
pla e that G ee e took the names of its di nities
from Egypt, d th t the Gre k m de inquiry
t D d whether they o ght t adopt the
nam o ot. This pears self-contradictory
t however quite c sistent f the fact
is that the Greeks es l d the p ritual f m
th materials which they had recei d. The
natural as explained by man—e ts internal
essential lement—is as a uni ersal principle
th beginning of the di me Just as in art the
G eeks may ha acqui ed a ma tery f techn
I mati rs f om others f m th Egyptians
especially s in the r ligh n th commence
m t might ha been f m with ut but by
th ir indepe dent p t they transf rmed the

one as well as the other

Traces of such foreign rudiments may be generally discovered (Creuzer in his *Symbolik* dwells especially on this point) The amours of Zeus appear indeed as something isolated extraneous adventitious but it may be shown that foreign theogonic representations form their basis Hercules is among the Hellenes that spiritual humanity which by native energy attains Olympus through the twelve far famed labours but the foreign idea that lies at the basis is the sun completing its revolution through the twelve signs of the zodiac The mysteries were only such ancient rudiments and certainly contained no greater wisdom than already existed in the consciousness of the Greeks All Athenians were initiated in the mysteries—Socrates accepted who refused initiation because he knew well that science and art are not the product of mysteries and that wisdom never lies among arcana True science has its place much rather in the open field of consciousness

In summing up the constituents of the *Greek spirit* we find its fundamental characteristic to be that the freedom of spirit is conditioned by and has an essential relation to some stimulus supplied by nature Greek freedom of thought is excited by an alien existence but it is free because it transforms and virtually reproduces the stimulus by its own operation This phase of spirit is the medium between the loss of individuality on the part of man (such as we observe in the Asiatic principle in which the spiritual and divine exists only under a natural form) and infinite subjectivity as pure certainty of it self—the position that the ego is the ground of all that can lay claim to substantial existence The Greek spirit as the medium between these two begins with nature but transforms it into a mere objective form of its (spirit's) own existence spirituality is therefore not yet absolutely free not yet absolutely *self* produced—is not self stimulation Setting out from surmise and wonder the Greek spirit advances to definite conceptions of the hidden meanings of nature In the subject itself too the same harmony is produced In man the side of his subjective existence which he owes to nature is the heart the disposition passion and variety of temperament this side is then developed in a spiritual direction to free individuality so that the character is not placed in a relation to universally valid moral authorities assuming the form of

This stamps the Greek character as that of *individuality conditioned by beauty* which is produced by spirit transforming the merely natural into an expression of its own being The activity of spirit does not yet possess in itself the material and organ of expression but needs the excitement of nature and the matter which nature supplies it is not free self determining spirituality but mere naturalness formed to spirituality—spiritual individuality The Greek spirit is the plastic artist forming the stone into a work of art In this formative process the stone does not remain mere stone—the form being only superinduced from without but it is made an expression of the spiritual even contrary to its nature and thus transformed Conversely the artist *needs* for his spiritual conception stone colours sensuous forms to express his idea Without such an element he can no more be conscious of the idea himself than give it an objective form for the contemplation of others since it cannot in thought alone become an object to him The Egyptian spirit also was a similar labourer in matter but the natural had not yet been subjected to the spiritual No advance was made beyond a struggle and contest with it the natural still took an independent position and formed one side of the image as in the body of the Sphinx In Greek beauty the sensuous is only a sign an expression an envelope in which spirit manifests itself

It must be added that while the Greek spirit is a transforming artist of this kind it knows it self free in its productions for it is their creator and they are what is called the work of man They are however not merely this but eternal truth—the energizing of spirit in its innate essence and quite as really not created as created by man He has a respect and veneration for these conceptions and images—this Olympian Zeus this Pallas of the Acropolis—and in the same way for the laws political and ethical that guide his actions But he the human being is the womb that conceived them he the breast that suckled them he the spiritual to which their grandeur and purity are owing Thus he feels himself calm in contemplating them and not only free in himself but possessing the consciousness of his freedom thus the honour of the human is swallowed up in the worship of the divine Men honour the divine in and for it self but at the same time as their deed their production their phenomenal existence thus the divine receives its honour through the respect paid to the human and the human in virtue of the honour paid to the divine

which are the qualities of that beautiful and useful utility which constitutes the centre of the Greek character. We must now consider the several radiations which this idea throws out in radiating. If all is due in works of art and in arrangements under these heads the subject-matter of art that is the culture of the man himself the objective work of art is the carrying of the world of ideas into the material work of art, the form of the Constitution, and the relations of the individuals who compose it.

Section II

PHASES OF INDIVIDUALITY ÆSTHETICALLY CONDITIONED

Chapter I: The Subjective Work of Art

Man with his necessities sustains a practical relation to external nature and in making it satisfy his desires and thus using it up has recourse to a system of means. For natural objects are powerful and offer resistance in various

These human intentions belong to spirit, and human instrument is to be respected more than mere natural object. We see too that the Greeks are conscious of an especial value upon themselves in human man delight in them. Years in every striking way. In the notice of humanism, except that man is given in detail, mention is made of doors which turn on hinges and of furniture which turn on wheels in a way that expresses satisfaction. The human intention in subjugating nature is satisfied by the gods.

But on the other hand man uses nature for ornament which is intended only as a token of wealth and of that which man has made of himself. Wealth and ornament in this interest already very much developed among the Homeric Greeks. It is true that both barbarians and civilized nations ornament themselves but barbarians content themselves with mere ornament the individual persons to please by an external addition. But ornament by its very nature is destined only to be a sign of something other than itself for the human body which is man's immediate environment and which in common with nature is large he has to transform. The individual must first of all primary importance before the development of the body

perfect organ for the will—a adaptation which may on the one hand, itself be the means for ultimate objects and on the other hand, appear as an object *per se*. Among the Greeks then we find this boundless impulse of individuals to display themselves and to find their enjoyment in so doing. Sensuous enjoyment does not become the basis of their condition when a state of repose has been obtained, any more than the dependence and stupor of supersatiation which enjoyment entails. They are too powerfully excited, too much bent upon developing the individuality absolutely to adore nature as it man feels

the other side they have too much independent personality to be subjugated by superstition that sentiment has not gone to the extent of making them room on the contrary essential conditions must be first satisfied before this can become matter of vanity with them. The exhilarating sense of personality in contrast with sensuous subjection to nature and the need, not of mere pleasure but of the display of individual powers in order thereby to gain special distinction and consequent enjoyment constitute therefore the chief characteristic and principal occupations of the Greeks. Free as the bird winging in the sky the individual only expresses what lies in his untrammelled human nature to have his importance recognized. This is the subjective beginning of Greek art, in which the human being elaborates his physical being in free beautiful movement, agile our to a work of art. The Greeks first trained their warriors to beautiful configurations before they attempted the expression of such in marble and in paintings. The innocuous contests of games in which every one exhibits his powers is of very ancient date. Hermerges as a religious description of the games recorded by Hesiod. In the story of Patroclus but in all his poems there is no mention of statues of the gods though he mentions the sanctuary at Dodona and the treasure house

one as well as the other

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Example and marvel them in this month the
new dynasty of the emperor proclaim their peculiar
nature of the celestial order

The second point is that the new divinities represent natural elements and consequently in them we see a determining relation to the powers of nature, as was previously shown. Zeus has his lightning and clouds and Hera is the creatress of the world, the producer of present reality. Zeus is also the paternal god, the protector of men and of hospitality. Oceanus, as such, is only the element of nature which has his name. Poseidon has still the wildness of that element in his character, but he is also an ethical person. He is ascribed the building of walls and the production of the Horse. Helios is the natural sun. This light, according to the theory of sun, has been transferred to self-consciousness, and Apollo has proceeded from Helios. The main connection with Helios Apollo was a herdsmanship of Adam in his own no-subjected to the yoke we sacred Helios has first revealed as art we kill the person. The idea of Helios as the natural power controlling the life of the universe can also be discovered from the divinity especially as the other powers are placed. He easily united with the other expressions of Mithras and others who deny this basis are much more arbitrary. For Apollo is the preserving and destroyer god—that is, that makes everything new. Helios moreover the healer and strengthener as also the destroyer. He kills men. Helios is the preserving and purifying god of the sun. The Eumenides the 20 goddesses even divinities we exact hard. Even for he himself is pure he his wife but only a mortal and is not involved in various disorders. Even like Zeus moreover he is the destroyer and declares the war and leads the chariot as the sun leads the harmonious dance of stars. In the manner the myths became to Moses. The mother of the gods Ceres corresponds to Epithus as Artemis to the sun. It is to be recognized as the Artemis of the Greek the huntress and destroyer of the beasts. Should it be said that this character of the natural is the natural is owing to the fact that the Greek, we must not forget the transformation of the natural to the natural is the Greek spirit. The Greeks exhibit such divinity from the seasons to the natural. But the exact understanding cannot comprehend the fact of the natural with the natural.

It must be further observed, that the Greek

form the substance of these divisions in the

an illumination of something else. The Greek gods express of themselves what they are. The eternal repose and clear intelligence that dignifies the head of Apollo is not a symbol but the expression in which spirit manifests itself and shows itself present. The gods are personal

in a system Zeus perhaps may be regarded as ruling the other gods, but no with absolute power so that they are left free to their own idiosyncrasy. Since the whole range of spiritual and moral qualities was appropriated by the gods, to which which stood above them all, necessarily remained abstract: it was therefore formless and unmeaning if not necessarily whose oppressive character arises from the absence of the spiritual in it, whereas the gods hold friendly relations to men, so they represent natural laws. That hitherto, however, the knowledge of unity as God—the One Spirit—lay beyond the grasp of thought which the Greeks had attained.

With regard to the external origin and special attributes to the Greek gods, the question arises, where the external origin of this divine element is to be looked for. It arises partly from local characteristics the scattered condition of the Greeks and the commencement of their national life, as this did on certain points, and consequently introducing local representations. The local divinities stand alone and occupy a much greater extent than they do elsewhere, when they enter in the circle of the divinities and are reduced to limited position they are conditioned by the particular co-

places possess temp est which peculiar legend
-ates A similar relat ion occurs in the case
ft. Canol same said their legends though

things how beautiful youths and maidens move as quickly with well taught feet as the potter turns his wheel. The multitude stand round enjoying the spectacle the divine singer accompanies the song with the harp and two chief dancers perform their evolutions in the centre of the circle.

These games and æsthetic displays with the pleasures and honours that accompanied them were at the outset only private originating in particular occasions but in the sequel they became an affair of the nation and were fixed for certain times at appointed places. Besides the Olympic games in the sacred district of Elis there were also held the Isthmian the Pythian and Nemean at other places.

If we look at the inner nature of these sports we shall first observe how sport itself is opposed to serious business to dependence and need. This wrestling running contending was no serious affair bespoke no obligation of defence no necessity of combat. Serious occupation is labour that has reference to some want. If nature must succumb if the one is to continue the other must fall. In contrast with this kind of seriousness however sport presents the higher seriousness for in it nature is wrought into spirit and although in these contests the subject has not advanced to the highest grade of serious thought yet in this exercise of his physical powers man shows his freedom in that he has transformed his body to an organ of spirit.

Man has immediately in one of his organs the voice an element which admits and requires a more extensive purport than the mere sensuous present. We have seen how *song* is united with the dance and ministers to it but subsequently song makes itself independent and requires musical instruments to accompany it. It then ceases to be unmeaning like the modulations of a bird which may indeed express emotion but which have no objective import but it requires an import created by imagination and spirit and which is then further formed into an *objective work of art*.

Chapter 2 *The Objective Work of Art*

If the subject of song as thus developed among the Greeks is made a question we should say that its essential and absolute purport is *religious*. We have examined the idea embodied in the Greek spirit and religion is nothing else than this idea made objective as the essence of being. According to that idea we shall observe also that the divine involves the *vis naturæ* only as an element suffering a process of transforma-

tion to spiritual power. Of this natural element as its origin nothing more remains than the accord of analogy involved in the representation they formed of spiritual power for the Greeks worshipped God as spiritual. We cannot therefore regard the Greek divinity as similar to the Indian—some power of nature for which the human shape supplies only an outward form. The essence is the spiritual itself and the natural is only the point of departure. But on the other hand it must be observed that the divinity of the Greeks is not yet the *absolute* free spirit but spirit in a particular mode fettered by the limitations of humanity—still dependent as a determinate individuality on external conditions. Individualities objectively beautiful are the gods of the Greeks. The divine spirit is here so conditioned as to be not yet regarded as abstract spirit but has a *special existence*—continues to manifest itself in sense but so that the sensuous is not its *substance* but is only an *element* of its manifestation. This must be our leading idea in the consideration of the Greek mythology and we must have our attention fixed upon it so much the more firmly as—partly through the influence of erudition which has whelmed essential principles beneath an infinite amount of details and partly through that destructive analysis which is the work of the abstract understanding—this mythology together with the more ancient periods of Greek history has become a region of the greatest intellectual confusion.

In the idea of the Greek spirit we found the two elements nature and spirit in such a relation to each other that nature forms merely the point of departure. This degradation of nature is in the Greek mythology the turning point of the whole—expressed as the war of the gods the overthrow of the Titans by the race of Zeus. The transition from the Oriental to the Occidental spirit is therein represented for the Titans are the merely physical natural existences from whose grasp sovereignty is wrested. It is true that they continue to be venerated but not as

Chronos expresses the dominion of abstract time which devours its children. The unlimited power of reproduction is restrained and Zeus appears as the head of the new divinities who embody a spiritual import and are themselves spirit. It is not possible to express this transition more

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human form so from this the spiritual beams forth. But if it were asked Does God really manifest himself The question must be answered in the affirmative for there is essential existence that does not manifest itself. The real defect of the Greek religion, as compared with the Christian, is therefore that in the former the manifestation constitutes the highest mode in which the divine being is conceived to exist—the sum and substance of deity was in the Christian religion the manifestation is regarded only as a temporary phase of the divine. Here the manifested God dies, and leaves himself to glory only after death.

recognized as infinite has as yet absolutely decisive authority

Chapter 3 The Political Work of Art

The state unit is the two phase just considered, the subjective and the objective work of art. In the state spirit is not a mere object like the deities nor on the other hand, is it merely subjectively developed to a beautiful

figured by the imagination.

But why did God appear to the Greeks in the flesh Because man was not duly estimated,

and shaping of the divinity therefore continued to be the product of individual whims. One element in spirit is that it produces itself—makes itself what it is and the other is that it is right and free—that freedom is its nature and its idea. But the Greeks since they had not attained an intellectual conception of themselves did not realize spirit in its universality had not the idea of man and the essential unity of the divine and human nature according to the Christian view. Only the self-limited, truly subjective spirit can bear to dispense with the phenomenal side and can endure to signify the divine nature to spirit alone. It then loses its roots in the natural unit is deified the spiritual in order to hold fast to its position of the divine and to have its unity with the divine externally visible but while free thought strikes the phenomenal it is content to leave it as it is for itself and that union of the finite and the infinite, and recognizes it not as mere accidental union but as the absolute—the eternal deity itself. Since subjectivity was not apprehended in all its depth by the Greek spirit the true reconciliation was not attained in it and the human spirit did not yet assert its true position. This defect showed itself in the fact that as pure subjectivity appearing superior to the gods it always itself in the fact that men deny their resolves yet from themselves but in their words. Neither human or divine subjectivity

advanced to such a degree of abstraction that the objective unit is conscious of direct dependence on the substantial principle—the state as such. In this grade of freedom, the individual will is unfettered in the entire range of its vitality and embodies that substantial principle according to its particular diosyncrasy. In Rome on the other hand, we shall observe a harsh sovereignty dominating over the individual members of the state as also in the German Empire a monarchy in which the individual is connected with and has devotion to perform not only in regard to the monarch but to the whole monarchical organization.

The democratical state is not patriarchal, does not rest on a still unreflecting undeveloped confidence but implies laws, with the consciousness of their being founded on equitable and moral basis and the recognition of these laws as positive. At the time of the kings in political life had as yet made its appearance in Hellas there are therefore only slight traces of legislation. But in the interval from the Trojan War till near the time of Cyrus, the necessity was felt. The first lawgivers are known under the name of The Seven Sages—a title which at that time did not imply any such character as that of the sophists—teachers of wisdom, designedly proclaiming the right and true—but merely thinking men whose thinking stopped here for science properly so called. They were practical politicians the good counsel which two of them—Thales of Miletus and Bias of Priene—gave to the Lydian king had been already mentioned. Thus Solon was commissioned by the Athenians

here not the several localities but the one *Mater Dei* supplies the point of departure being afterwards localized in the most diversified modes. The Greeks relate the liveliest and most attractive stories of their gods to which no limit can be assigned since rich fancies were always going forth anew in the living spirit of the Greeks. A second source from which adventitious specialities in the conception of the gods arose is that worship of nature whose representations retain a place in the Greek myths as certainly as they appear there also in a regenerated and transfigured condition.

The preservation of the original myths brings us to the famous chapter of the *mysteries* already mentioned. These mysteries of the Greeks present something which as unknown has attracted the curiosity of all times under the supposition of profound wisdom. It must first be remarked that their antique and primary character in virtue of its very antiquity shows their destitution of excellence—their inferiority that the more refined truths are not expressed in these mysteries and that the view which many have entertained is incorrect viz. that the unity of God in opposition to polytheism was taught in them. The mysteries were rather antique rituals and it is as unhistorical as it is foolish to assume that profound philosophical truths are to be found there since on the contrary only natural ideas—ruder conceptions of the metamorphoses occurring every where in nature and of the vital principle that pervades it—were the subjects of those mysteries. If we put together all the historical data pertinent to the question the result we shall inevitably arrive at will be that the mysteries did not constitute a system of doctrines but were sensuous ceremonies and exhibitions consisting of symbols of the universal operations of nature as e.g. the relation of the earth to celestial phenomena. The chief basis of the representations of Ceres and *Proserpine*, Bacchus and his train was the universal principle of nature and the accompanying details were obscure stories and representations mainly bearing on the universal vital force and its metamorphoses. An analogous process to that of nature must also undergo for it must be twice born *se abnegate itself* and thus the representations given in the mysteries by the rational produced an instinctive dread comes over men when a signification is perceived in a form which as a sensuous phenomenon does not express that signification and

which therefore both repels and attracts—awakes surmises by the import that reverberates through the whole but at the same time a thrill of dread at the repellent form. *Æschylus* was accused of having profaned the mysteries in his tragedies. The indefinite representations and symbols of the mysteries in which the profound import is only surmised are an element alien to the clear pure forms and threaten them with destruction on which account the gods of art remain separated from the gods of the mystery and the two spheres must be strictly dissociated.

Most of their gods the Greeks received from foreign lands as *Herodotus* states expressly with regard to Egypt but these exotic myths were transformed and spiritualized by the Greeks and that part of the foreign theogonies which accompanied them was in the mouth of the Hellenes worked up into a legendary narrative which often redounded to the disadvantage of the divinities. Thus also the brutes which continued to rank as gods among the Egyptians were degraded to external signs accompanying the spiritual god. While they have each an individual character the Greek gods are also represented as human and this anthropomorphism is charged as a defect. On the contrary (we may immediately rejoin) man as the spiritual constitutes the element of truth in the Greek god which rendered them superior to all elemental deities and all mere abstractions of the One and Highest Being. On the other side it is alleged as an advantage of the Greek gods that they were represented as men—that being regarded as not the case with the Christian God. *Schiller* says

*While the gods emanated more human
The men were more divine*

But the Greek god must not be regarded as more human than the Christian God. Christ is much more a *man* he lives dies suffers death on the cross which is infinitely more human than the humanity of the Greek idea of the beautiful. But in referring to this common element of the Greek and the Christian religions it must be said of both that if a manifestation of God is to be supposed at all his natural form must be that of spirit which for sensuous conception is essentially the human for no other form can lay claim to spirituality. God appears indeed in the sun in the mountains in the trees in everything that has life but a natural appearance of this kind is not the form proper to spirit here God is cognizable only in the mind of the perceiver. If God himself is to be manifested in a corresponding expression that can only be the

human form for from this the spiritual beams forth. But if it were asked Does God ever truly manifest himself The question must be answered in the affirmative for there is no essential existence that does not manifest itself The real defect of the Greek religion as compared with the Christian, is therefore, that in the former the manifestation constitutes the highest mode in which the divine being is conceived to exist—the sum and substance of divinity whereas in the Christian religion the manifestation is regarded only as a temporary phase of the divine Here the manifested God dies and lives as himself to glory only after death is Christ represented as a man, at the right hand of God. The Greek god, on the contrary exists for his worshippers perennally in the manifestation—only in marble in metal or wood, or as figured by the imagination.

But why did God not appear to the Greeks in the flesh Because man was not duly estimated, did not obtain honour and dignity till he had more fully elaborated and developed himself in the attainment of the freedom implicit in the æsthetic manifestation in question the form and substance of the divinity therefore continued to be the product of individual views. One element in spirit is that it produces itself—makes itself what it is and the other is that it is originally free—that freedom is its nature and its idea. But the Greeks since they had not attained an intellectual conception of themselves did not yet realize spirit in its universality had not the idea of man and the essential unity of the divine and human nature according to the Christian view. Only the self-limit, truly subjective spirit can bear to dispense with the phenomenal side and can endure to assign the divine nature to spirit alone. It then no longer needs to weave the natural into the ideal of the spiritual, in doing to hold fast its conception of the divine and to have its unity with the divine externally visible but while free thought strikes the phenomenal it is content to leave it as it is for it also thinks that union of the finite and the infinite and recognizes it not as mere accidental union, but as the absolute—the eternal ideal. Since subjectivity was comprehended in all its depth by the Greek spirit the true reconciliation was attained and it and the human spirit did not yet assert its true position. This defect showed itself in the fact of its as pure subjectivity appearing superior to the gods it also shows itself in the fact that men derive their resolves not yet from themselves but from the oracles, neither human nor divine subjectivity

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Chapter 3 The Political Work of Art

The state unites the two phases just considered, the subjective and the objective of art. In the state spirit is not a mere object like the deities nor on the other hand, is it merely subjectively developed to a beautiful physique. It is here a living universal spirit but which is at the same time the self-conscious spirit of the individuals composing the community.

The democratical constitution alone was adapted to the spirit and political condition in question. In the East we recognized despotism developed in magnificent proportions as a form of government strictly appropriate to the dawn of history. Not less adapted to the democratical form in Greece, to the part assigned to it in the same great drama. In Greece too we have the freedom of the individual, but it has not yet advanced to such a degree of abstraction, that the subjective must be conscious of direct dependence on the substantial principle—the state as such. In this grade of freedom, the individual will is unfettered in the entire range of its vitality and embodies that substantial principle according to its particular idiosyncrasy. In Rome on the other hand, we shall observe a harsh sov-

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To this extent things in which every one pretends to have a judgment of his own on science in great men is antagonistic. When, in earlier times the Athenians commissioned Solon to legislate for them, or when Eurycles appeared as spokesman for the lawgiver and revisor of the state it is evidently no supposed that the people in general think that they know best what is politically right. At the same time also it was during the golden ages of plastic genius in whom the people placed their confidence. Cleisthenes *et alii* made the constitution still more democratic than it had been—Miltiades, Themistocles, Aristides and Cimon, *et alii* in the Median wars and in the head of Athenian affairs—and Pericles in whom Athenian glory centres as in its focus. But as soon as any of these great men had performed what was needed, energy in the people recoiled of the sentiment of equality *seems conspicuous* talent, and he was either imprisoned or exiled. Finally the *strophæ* arose among the people asperging all individual greatness and reviving those who took the lead in public affairs.

But there are three other points in the condition of the Greek republics that must be particularly observed.

With democracy in itself men in which alone it existed in Greece it is intimately connected. The independent resolve, the conscious subjectivity of the will (in which the latter is determined by preponderating reasons) is absolutely indispensable but the Greeks had not the sense of strength and power in their volition. When Solon was to be founded, when it was proposed to adopt the worship of foreign deities or when general war was about to give battle to the enemy the oracles were consulted. Before the battle of Plataea Pausanias took care that no argument could be taken from the animals and the sacrificial and was influenced by the soothsayer Tisamenus that the sacrifices were favorable to the Greeks provided they remained on the higher side of the Asopus but the contrary if they crossed the stream and became the base. Pausanias therefore waited to attack. In later private wars too the Greeks came to determine on or so much of their subjective conviction as from some extraordinary suggestion. With the advance of democracy we observe the oracles longer consulted on the most important matters but the particular views of popular orators influencing and deciding the policy of the state. As at this time Socrates relied upon his *Dæmon*, so the popular leaders and the people relied on their individual convictions in

forming their decisions. But contemporaneously with this were introduced corruption, disorder and an uninterrupted process of change in the constitution.

2. Another circumstance that demands special attention here is the element of slavery. This was necessary condition of an æsthetic democracy where it was the right and duty of every citizen to deliver or to listen to orations respecting the management of the state in the place of public assembly to take part in the exercise of the gymnasia and to join in the celebration of festivals. It was a necessary condition of such occupations that the citizens should be freed from handicraft occupations consequently that what among us performed by free citizens the work of daily life should be done by slaves. Slavery does not cease until the will has been sufficiently well reflected, until right is conceived as pertaining to every freedom and the term freeman is regarded as a synonym for man in his generic nature as endowed with reason. But here we still occupy the standpoint of morality where wont and custom and therefore known only as a peculiarity attaching to a certain kind of existence.

3. It must also be remarked, thirdly that such democratic constitutions are possible only in small states — i.e. which do not much exceed the compass of cities. The whole polis of the Athenians is united in the one city of Athens. Tradition tells that Theseus united the scattered Demes into an æthral totality. In the time of Pericles at the beginning of the Peloponnesian War when the partisans were marching upon Attica, the entire population too resided in the city. Only in such cities can the interests of all be similar in large empires on the contrary diverse and conflicting interests are sure to present themselves. The citizens together in one city the fact that the inhabitants see each other daily render common culture and a large democratic polity possible. In democracy the main point is that the character of the citizen be plastic all of peace. He must be present at the crucial stages of public business he must take part in decisive crises with his entire personality not with his vote merely he must mingle in the heat of action — the passion and interest of the whole man being absorbed in the affair and the warmth with which a resolve was made being equally ardent during its execution. That unity of opinion to which the whole community must be brought must be produced in the individual members of the state by *oral suggestion*. If this was attempted by writing in an abstract,

to give them laws as those then in operation no longer sufficed Solon gave the Athenians a constitution by which all obtained equal rights yet not so as to render the democracy a quite abstract one The main point in democracy is moral disposition *Virtue* is the basis of democracy remarks Montesquieu and this sentiment is as important as it is true in reference to the idea of democracy commonly entertained The substance of justice the common weal the general interest is the main consideration but it is so only as custom in the form of objective will so that morality properly so called—subjective conviction and intention—has not yet manifested itself Law exists and is in point of substance the law of freedom—rational and valid *because it is law*—without ulterior sanction As in beauty the natural element—its sensuous coefficient—remains so also in this customary morality laws assume the form of a necessity of nature The Greeks occupy the middle ground of *beauty* and have not yet attained the higher standpoint of truth While custom and wont is the form in which the right is willed and done that form is a stable one and has not yet admitted into it the foe of immediacy—reflection and subjectivity of will The interests of the community may therefore continue to be entrusted to the will and resolve of the citizens and this must be the basis of the Greek constitution for no principle has as yet manifested itself which can contravene such choice conditioned by custom and hinder its realizing itself in action The democratic constitution is here the only possible one the citizens are still unconscious of particular interests and therefore of a corrupting element the objective will is in their case not disintegrated Athens the goddess is Athens itself—the real and concrete spirit of the citizens The divinity ceases to inspire their life and conduct only when the Will has retreated within itself—into the *adytum* of cognition and conscience—and has posited the infinite schism between the subjective and the objective The above is the true position of the democratic polity its justification and absolute necessity rest on this still immanent objective morality For the modern conceptions of democracy this justification cannot be pleaded These provide that the interests of the commu-

their respective opinions and give their votes and this on the ground that the interests of the state and its concerns are the interests

of such individual members

All this is very well but the essential condition and distinction in regard to various phases of democracy is *What is the character of these individual members?* They are absolutely authorized to assume their position only in as far as their will is still *objective* Will—not one that wishes this or that not mere good will For good will is something particular—rests on the morality of individuals on their conviction and subjective feeling That very subjective freedom which constitutes the principle and determines the peculiar form of freedom in *our* world which forms the absolute basis of our political and religious life could not manifest itself in Greece otherwise than as a *destructive* element Subjectivity was a grade not greatly in advance of that occupied by the Greek spirit that phase must of necessity soon be attained but it plunged the Greek world into ruin for the polity which that world embodied was not calculated for this side of humanity did not recognize this phase since it had not made its appearance when that polity began to exist Of the Greeks in the first and genuine form of their freedom we may assert that they had no conscience the habit of living for their country without further reflection was the principle dominant among them The consideration of the state in the abstract which to our understanding is the essential point was alien to them Their grand object was their country in its living and real aspect—*this actual Athens this Sparta these temples these altars this form of social life this union of fellow citizens these manners and custom* To the Greek his country was a necessary of life without which existence was impossible It was the Sophists—the Teachers of Wisdom—who first introduced subjective reflection and the new doctrine that each man should act according to his own conviction When reflection once comes into play the inquiry is started whether the principles of law cannot be improved Instead of holding by the existing state of things *internal* conviction is relied upon and thus begins a subjective independent freedom in which the individual finds himself in a position to bring everything to the test of his own conscience even in defiance of the existing constitution Each one has his principles and that view which accords with his private judgement he regards as *practically* the best and as claiming *practical* realization This decay even Thucydides notices when he speaks of every one's thinking that things are going on badly when he has not a hand in the management

history hung trembling on the balance. Oriental despotism a world united under one lord and sovereign on the one side and separate states insignificant in extent and resources but animated by free individuality on the other side stood front to front in array of battle. Neither in history has the superiority of spiritual power over material bulk and that of no contemptible amount been made so glaringly manifest. These wars and the subsequent development of the states which took the lead in it is the most brilliant period of Greek history. Everything which the Greek principle in olden times reached its perfect bloom and came into the light of day.

The Athenians continued their wars of conquest for a considerable time and thereby attained a high degree of prosperity while the Lacedæmonians who had no naval power remained quiet. The antagonism of Athens and Sparta commenced—a familiar theme for

cratic the Diacnians—mountaineers cultivators of the vine and olive and herdsmen who were the most numerous class and between the two the Paraliens inhabitants of the coast the moderate party. The polity of the state was wavering between aristocracy and democracy. Solon effected, by his division into four property

of the community it had not yet become a habit of moral and civil existence. But it is still more remarkable that Pisistratus introduced no legislative changes and that he presented himself before the Areopagus to answer an accusation brought against him. The rule of Pisistratus and of his sons appears to have been needed for repressing the power of great families and factions—for accustoming them to order and peace and the citizens generally on the other hand, the Solonian legislation though beneficial that rule was necessarily regarded as superfluous and the principles of a free code entered into conflict with the power of the Pisistratids. The Pisistratids were expelled Hipparchus killed, and Hipparchus banished. Then faction was revived the Alcmaeonids who took the lead in the insurrection favored democracy on the other hand the Spartans aided the adverse party of Isag as which followed the aristocratic direction. The Alcmaeonids with Cleisthenes at the head, kept the upper hand. This leader made the constitution still more democratic than it had been the *phylai* of which hitherto the chief had been only four were increased to ten and this had the effect of diminishing the influence of the clans. Lastly Pericles rendered the constitution yet more democratic by diminishing the essential dignity of the Areopagus and bringing causes that had hitherto belonged to the *thesmothetes* and the tribunal *Prætor* was a statesman of political character who dedicated himself to public life he renounced private life withdrew from all festivities and banquets and pursued without intermission his aim for the good of the state—a career of duty by which he attained such exalted position that Aristophanes call him the Zeus of Athens. We cannot but admire him in the highest degree he stood at the head of a light

jects to discipline etc may be admitted as a leading principle that has acted upon this state is political virtue which Athens and Sparta have inherited in common but which in the latter state developed itself to work of art of free individuality—in the other retained its substantial form. Before the peak of the Peloponnesian War in which the jealousy of Sparta and Athens broke out into a flame we must exhibit more fully the fundamental characteristics of the two states their distinctions in a political and moral aspect.

Athens

We have already become acquainted with Athens. It is the most fertile the inhabitants of the other districts of Greece in which every mixed population was congregated. The aristocracy of human industry and culture has disappeared and (peculiarly by reason) we must mention Athens as being as it were a desert. Antiquity had long since risen between ancient and wealthy families and has become poorer. The parties which were distinct on the ground of other local position and the mode of life which has thus suggested we then fully grasped. These were the *Pedæra*—the inhabitant of the plain the rich and the

lifeless way no general fervour would be excited among the social units and the greater the number the less weight would each individual vote have. In a large empire a general inquiry might be made votes might be gathered in the several communities and the results reckoned up—as was done by the French Convention. But a political existence of this kind is destitute of life and the world is *ipso facto* broken into fragments and dissipated into a mere paper world. In the French Revolution therefore the republican constitution never actually became a democracy tyranny despotism raised its voice under the mask of freedom and equality.

We come now to the second period of Greek History. The first period saw the Greek spirit attain its æsthetic development and reach maturity—realize its *essential being*. The second shows it manifesting itself exhibits it in its full glory as producing a work for the world asserting its principle in the struggle with an antagonistic force and triumphantly maintaining it against that attack.

The Wars with the Persians

The period of contact with the preceding world historical people is generally to be regarded as the *second* in the history of any nation. The world historical contact of the Greeks was with the Persians in that Greece exhibited itself in its most glorious aspect. The occasion of the Median wars was the revolt of the Ionian cities against the Persians in which the Athenians and Eretrians assisted them. That which in particular induced the Athenians to take their part was the circumstance that the son of Pisistratus after his attempts to regain sovereignty in Athens had failed in Greece had betaken himself to the king of the Persians. The Father of history has given us a brilliant description of these Median wars and for the object we are now pursuing we need not dwell long upon them.

At the beginning of the Median wars Lacedæmon was in possession of the hegemony partly as the result of having subjugated and enslaved the free nation of the Messenians partly because it had assisted many Greek states to expel their tyrants. Provoked by the part the Greeks had taken in assisting the Ionians against him the Persian King sent heralds to the Greek cities to require them to give water and earth *scilicet* to acknowledge his supremacy. The Persian envoys were contemptuously sent back and the Lacedæmonians went so far as to throw them into a well—a deed however of which they afterwards so deeply repented as to send two

Lacedæmonians to Susa in expiation. The Persian King then despatched an army to invade Greece. With its vastly superior force the Athenians and Platæans without aid from their compatriots contended at Marathon under Miltiades and gained the victory. Afterwards Xerxes came down upon Greece with his enormous masses of nations (Herodotus gives a detailed description of this expedition) and with the terrible array of land forces was associated the not less formidable fleet. Thrace Macedon and Thessaly were soon subjugated but the entrance into Greece proper the Pass of Thermopylæ was defended by three hundred Spartans and seven hundred Thespians whose fate is well known. Athens voluntarily deserted by its inhabitants was ravaged the images of the gods which it contained were an abomination to the Persians who worshipped the amorphous the unformed. In spite of the disunion of the Greeks the Persian fleet was beaten at Salamis and this glorious battle day presents the three greatest tragedies of Greece in remarkable chronological association for Æschylus was one of the combatants and helped to gain the victory. Sophocles danced at the festival that celebrated it and on the same day Euripides was born. The host that remained in Greece under the command of Mardonius was beaten at Platæa by Pausanias and the Persian power was consequently broken at various points.

Thus was Greece freed from the pressure which threatened to overwhelm it. Greater battles unquestionably have been fought but these live immortal not in the historical records of nations only but also of science and of art of the noble and the moral generally. For these are world historical victories they were the salvation of culture and spiritual vigour and they rendered the Asiatic principle powerless. How often on other occasions have not men sacrificed everything for one grand object! How often have not warriors fallen for duty and country! But here we are called to admire not only valour genius and spirit but the purport of the contest the effect the result which are unique in their kind. In all other battles a particular interest is predominant but the immortal fame of the Greeks is none other than their due in consideration of the noble cause for which deliverance was achieved. In the history of the world it is not the formal valour that has been displayed not the so called merit of the combatants but the importance of the cause itself that must decide the fame of the achievement. In the case before us the interest of the world's

ence on their constitution also. In reference to the mode in which the Spartan state originated, we observe that the Dorians invaded the

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the helots. The elation of the Spartans to the subjugated race was even greater harshness than that of the Turks to the Greeks. A taste of warfare was constantly kept up in Lacedæmon. In entering upon office the Ephors made an unrevoked declaration of war against the Helots and the latter were habitually given up to the young Spartans to be practised upon in their martial exercises. The Helots were on some occasions sent off and fought against the enemy in order that they displayed extraordinary valour. The ranks of the Spartans but on the return they were bettered in the most cowardly and undignified way. As in a lull in the war a certain arm of the great theatre was taken to entertain the citizens the Spartans exercised constant gila (games) the Helots and were always in competition for the greatest enemies.

Property in land was divided even according to the constitution of Lycurgus (as Plutarch relates) into equal parts of which 9000 only belonged to the Spartans—the inhabitants of the city—and 3000 to the Lacedæmonians or Peræci. At the same time it was appointed, in order to maintain the equality that the po-

litical many estates had come by marriage into the possession of the few families. All the landed property was in the hands of a limited number of families. The law which it is to attempt to find quality—an attempt which, while in effect, in the law is perfect. But it is also destructive of the most essential point of liberty, the disposition of property. Another remarkable feature in the legislation of Lycurgus was the prohibition of all money except that made of an element which necessitated the holding of all foreign business and traffic. The Spartans moreover had no naval force—force indispensable to the support of

furtherance of commerce and on occasions where such a force was required they had to apply to the Persians for it.

It was with an especial view to promote similarity of manners and a more intimate acquaintance of the citizens with each other that the Spartans had meals in common—a community however which disparaged family life. For eating and drinking is a private affair and consequently belongs to domestic retirement. It was so regarded among the Athenians with them a social union was not material but spiritual and even the rhetoricians as we see from Xenophon and Plato had no intellectual life. Among the Spartans on the other hand the costs of the common meal were met by the contributions of the several members and he who was too poor to offer such a contribution was consequently excluded.

As to the political constitution of Sparta its basis may be called democratic but with considerable modifications which rendered it almost an aristocracy and oligarchy. At the head of the state were two kings at whose side was a senate (the *gerousia*) chosen from the best men of the

state. The most important affairs. Lastly one of the chief magistracies was that of the *ephoroi* respecting which we have a definite information. Aristotle says that the mode of election was exceedingly childish. We learn from Aristotle that even persons with nobility or property could attain this dignity. The Ephors had full authority to control the popular assembly to put to rest the vote of the popular assembly in the same way as the tribunes in Rome. Their power became tyrannical like that which the Romans possessed and his party elected for time in Rome.

While the Lacedæmonians directed their entire attention to the late intellectual culture—art and science—was not diminished among them. The Spartans appeared to the rest of the Greeks stiff, coarse, awkward in which would be a sacrifice business in obtaining any degree of intricacy or to the improvement of the clumsy. Thucydides makes the Athenians say that the

mindful but highly refined and cultivated people the only means by which he could obtain influence and authority over them was his personal character and the impression he produced of his being a thoroughly noble man exclusively in tune upon the weal of the state and of superiority to his fellow citizens in native genius and acquired knowledge. In force of individual character no statesman can be compared with him.

As a general principle the democratic constitution affords the widest scope for the development of great political characters for it excels all others in virtue of the fact that it not only *allows* of the display of their powers on the part of individuals but *summons* them to use those powers for the general weal. At the same time no member of the community can obtain influence unless he has the power of satisfying the intellect and judgment as well as the passions and volatility of a cultivated people.

In Athens a vital freedom existed and a vital equality of manners and mental culture and if inequality of property could not be avoided it nevertheless did not reach an extreme. Together with this equality and within the compass of this freedom all diversities of character and talent and all variety of idiosyncrasy could assert themselves in the most unrestrained manner and find the most abundant stimulus to development in its environment for the predominant elements of Athenian existence were the independence of the social units and a culture animated by the spirit of beauty. It was Pericles who originated the production of those eternal monuments of sculpture whose scanty remains astonish posterity. It was before this people that the dramas of Æschylus and Sophocles were performed and later on those of Euripides—which however do not exhibit the same plastic moral character and in which the principle of corruption is more manifest. To this people were addressed the orations of Pericles from

when misfortune and the corruption of the democracy had already supervened. But if we would have the verdict of the ancients on the political life of Athens we must turn not to Xenophon nor even to Plato but to those who had a thorough acquaintance with the state in its full vigour who managed its affairs and have been esteemed its greatest leaders *sc* to its statesmen. Among these Pericles is the Zeus of the human Pantheon of Athens. Thucydides puts into his mouth the most profound description of Athenian life on the occasion of the funeral obsequies of the warriors who fell in the second year of the Peloponnesian War. He proposes to show for what a city and in support of what interests they had died and this leads the speaker directly to the essential elements of the Athenian community. He goes on to paint the character of Athens and what he says is most profoundly thoughtful as well as most just and true. We love the beautiful he says but without ostentation or extravagance we philosophize without being seduced thereby into effeminacy and inactivity (for when men give themselves up to thought they get further and further from the practical—from activity for the public for the common weal). We are bold and daring but this courageous energy in action does not prevent us from giving ourselves an account of what we undertake (we have a clear consciousness respecting it) among other nations on the contrary martial daring has its basis in deficiency of culture we know best how to distinguish between the agreeable and the irksome notwithstanding which we do not shrink from perils. Thus Athens exhibited the spectacle of a state whose existence was essentially directed to realizing the beautiful which had a thoroughly cultivated consciousness respecting the serious side of public affairs and the interests of man's spirit and life and united with that consciousness hardly courage and practical ability.

Sparta

Socrates, Plato and Aristophanes—the last of whom preserved entire the political seriousness of his people at the time when it was being corrupted and who imbued with this seriousness wrote and dramatized with a view to his country's weal. We recognize in the Athenians great industry susceptibility to excitement and develop

Here we witness on the other hand rigid abstract virtue—a life devoted to the state but in which the activity and freedom of individuality are put in the background. The polity of Sparta is based on institutions which do full justice to the interest of the state but whose object is a lifeless equality—not free movement. The very first steps in Spartan history are very different from the early stages of Athenian development. The Spartans were Dorians—the Athenians Ionians and this national distinction has an in-

and Plato attaches rather to that later period

THE GREEK WORLD

essentially between Athens and Sparta. Thucydides has left us the history of the greater part of the war. The rest is the absolute gain.

We have then now to investigate the corruption of the Greek world in its profounder import, and may denote the principle of that corruption as subject to obnoxious emancipation.

guilty of a crime and a

guilty of a tall tale. The
hung democracy in Athens and in the cities of
Greece generally and in giving a precedence
to the laws that desired liberty but were
not strong enough to maintain them else with
out foreign assistance. Lastly in the peace of
Antalcidas, Sparta put the finishing stroke to
the treachery by giving over the Greek cities
in Asia Minor to Persian dominion.

Lacedæmon had the effect both by the oligarchy which had set up various countries by the garrisons which it maintained in some cities—as of Thebes—obtained great preponderance in Greece. But the Greeks themselves far more incensed at Spartan oppression than they had previously been at Athenian supremacy. With Thebes at their head, they cast off the yoke and the Thebans became foremost in the movement to distinguish people in Hellas. But it was to two distinguished men among its citizens that Thebes would entrust power—Pelopidas and Epaminondas—as if the most part in that state we find the subject of preponderant interest. I deal with this principle in the poetry that which is the expression of subjectivity especially flourished in the kind of subjectivity amenity of literature. It is also in the so-called Sacred Legends which formed the kernel of the Theban host and was regarded as the glory of persons connected by amatory bonds while the influence of the subject is not only observed by the

the towns the w in essant c tests in
citizen wer d d ed int f ctions in the
l h n f th middle es Th t ry f
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Lg t by f f rms Th "arious rates could
long o-exist peaceabl th y p epa d
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price menace is possible. It is itself threatening and manifesting itself threatens the existing state of things in every department—characterized as that state of things is by immediacy. The right therefore appears here as the principle of decay—decay is of substantial morality for it introduces an antithesis and asserts essentially rational principles. In the oriental states in which there is no such antithesis morality cannot be realized since the best principle is abstraction. But when thought recognizes its positive character as in Greece it establishes principles and these bear to the real world the relation of essential form. For the concrete vitality found among the Greeks is customary morality—a life for religion for the state without further reflection without analysis leading to abstraction.

of the existing state of the world

elf and side if unimproved rate 150
demands that this ideal should take the place of
things as they are

In the principle of Greek freedom, inasmuch as
it is freedom in the old the self-emancipation
of thought. We observed the dawn of thought
in the circle of human beings under
the well known appellation of the Seven Sages.
It was they who first uttered the great propo-
sition though at that time wisdom consisted
rather in conciliating the passions of the
advances in the development of religious art
and with political growth we find a progress.
The strengthening of thought is emphasized
today and the turn of the Poponnesian
War cycle was already developed. With the

served among the Greek in their practical life and in the achievement of works far above themselves also in the turns and windings which the gods took so that as material things are

Spartans You have laws and customs which have nothing in common with others and besides this you proceed when you go into other countries neither in accordance with these nor with the traditionary usages of Hellas In their intercourse at home they were on the whole honourable but as regarded their conduct towards other nations they themselves plainly declared that they held their own good pleasure for the commendable and what was advantageous for thought It is well known that in Sparta (as was also the case in Egypt) the taking away of the necessities of life under certain conditions was permitted only the thief must not allow himself to be discovered Thus the two states Athens and Sparta stand in contrast with each other The morality of the latter is rigidly directed to the maintenance of the state in the former we find a similar ethical relation but with a cultivated consciousness and boundless activity in the production of the beautiful—subsequently of the true also

This Greek morality though extremely beau

the reflection of thought within itself the emanation from the natural element—the sensuous that lurks in the character of beauty and divinity—and from that immediacy which attaches to their ethics Self comprehension on the part of thought is wanting—illimitable self consciousness—demanding that what is regarded by me as right and morality should have its confirmation in myself from the testimony of my own spirit that the beautiful (the idea as manifested in sensuous contemplation or conception) may also become the true—an inner supersensuous world The standpoint occupied by the æsthetic spiritual unity which we have just described could not long be the resting place of spirit and the element in which further advance and corruption originated was that of subjectivity—inward morality individual reflection and an inner life generally The perfect bloom of Greek life lasted only about sixty years—from the Median wars B.C. 49 to the Peloponnesian War B.C. 431 The principle of subjective morality which was inevitably introduced became the germ of corruption which however showed itself in a different form in Athens from that which it assumed in Sparta in Athens as levity in public conduct in Sparta as private depravation of morals In their fall the Athenians showed themselves not only amiable but great and noble—to such a degree that

we cannot but lament it among the Spartans on the contrary the principle of subjectivity develops itself in vulgar greed and issues in vulgar ruin

The Peloponnesian War

The principle of corruption displayed itself first in the external political development in the contest of the states of Greece with each other and the struggle of factions within the cities themselves The Greek morality had made Hellas unfit to form one common state for the dissociation of small states from each other and the concentration in cities where the interest and the spiritual culture pervading the whole could be identical was the necessary condition of that grade of freedom which the Greeks occupied It was only a momentary combination that occurred in the Trojan War and even in the Median wars a union could not be accomplished Although the tendency towards such a union is discoverable the bond was but weak its permanence was always endangered by jealousy and the contest for the hegemony set the states at variance with each other A general outbreak of hostilities in the Peloponnesian War was the consummation Before it and even at its commencement Pericles was at the head of the Athenian nation—that people most jealous of its liberty it was only his elevated personality and great genius that enabled him to maintain his position After the wars with the Medes Athens enjoyed the hegemony a number of lies—partly islands partly towns—were obliged to contribute to the supplies required for continu-

by an immense power was concentrated in Athens a part of the money was expended in great architectural works in the enjoyment of which since they were products of spirit the allies had some share But that Pericles did not devote the whole of the money to works of art but also made provision for the demos in other ways was evident after his death from the quantity of stores amassed in several magazines but especially in the naval arsenal Xenophon

and all who desire what is worth seeing or near
ing in sacred and public matters?

In the Peloponnesian War the struggle was

They reprobed in Socrates had a led stru k
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 be pronoun d guilt or innocent with him
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 f Socrates and decla ed him guilt! In Ath
 ens that higher principle wh h pro ed the ruin
 f L. Athen n st te ad an ed in is d ve op-
 met with i term. n p nt h d a quired

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The ne t step in ad a ce is then t ut quite
 mple ne that the place of the dethr ned
 oracle should be taken by another d cid n w ll
 —a real authoritative *roy Jty* The fore m Mac
 edo ian king—Phil p—und took to a enge the

— horn i esmer y

Lev bear the tamp f the m st umbr d a
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In Sparta the same corrupt n is intr du d.
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Th M don Empr e

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 t each ry—all th se hateful characteri tics with
 which Phil p has often bee reproached—d d
 not ext nd to the young Alexander when h
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PHILOSOPHY OF HISTORY

changed worked up and used for other than their original purposes similarly the essential being of spirit—what is thought and known—is variously handled it is made an object about which the mind can employ itself and this occupation becomes an interest in and for itself The movement of thought—th

gining of the Peloponnesian War the principle of subjectivity—of the absolute

cultivated Sophists who were not erudite or scientific men but masters of subtle turns of thought excited the admiration of the Greeks For all questions they had an answer for all interests of a political or religious order they had general points of view and in the ultimate development of their art they claimed the ability to prove everything to discover a justifiable side in every position In a democracy it is a matter of the first importance to be able to speak in popular assemblies to urge one's opinions on public matters Now this demands the power of duly presenting before them that point of view which we desire them to regard as essential For such a purpose intellectual culture is needed and th

of enforcing their views and interests on the demos the expert Sophist knew how to turn the subject of discussion this way or that way at pleasure and thus the doors were thrown wide open to all human passions A leading principle of the Sophists was that Man is the measure of all things but in this as in all their apophth

private interest The Sophists meant man simply as subjective and intended in this dictum of theirs that mere liking was the principle of right and that advantage to the individual was the ground of final appeal This sophistic principle appears again and again though under different forms in various periods of history thus even in our own times subjective opinion of what is right—mere feeling—is made the ultimate ground of decision

In beauty as the Greek principle there was a concrete unity of spirit united with reality with country and family etc In this unity no fixed point of view had as yet been adopted within the spirit it is a transcendent liking But thought it was the absolute essence of the world. And it was in Socrates that at the be

versal Socrates is celebrated as a teacher of morality but we should rather call him the inventor of morality The Greeks had a customary morality but Socrates undertook to teach them what moral virtues duties etc were The moral man is not he who merely wills and does that which is right not the merely innocent man but he who has the consciousness of what he is doing

Socrates in assigning to insight to conviction the determination of men's actions posited the individual as capable of a final moral decision in contraposition to country and to customary morality and thus made himself an oracle in the Greek sense He said that he had a *δαίμων* within him which counselled him what to do and revealed to him what was advantageous to his friends The rise of the inner world of subjectivity was the rupture with the existing reality Though Socrates himself continued to perform his duties as a citizen it was not the actual state and its religion but the world of thought that was his true home Now the question of the existence and nature of the gods came to be discussed The disciple of Socrates Plato banished from his ideal state Homer and Hesiod the originators of that mode of conceiving of religious objects which prevailed among the Greeks for he desiderated a higher conception of what was to be revered as divine—one more in harmony with thought Many citizens now seceded from practical and political life to live in the ideal world The principle of Socrates manifests a revolutionary aspect towards the Athenian state for the peculiarity of this state was that customary morality was the form in which its existence was moulded thus an inseparable connection of thought with actual life When Socrates wishes to induce his friends to reflection the discourse has always a negative tone he brings them to the consciousness that they do not know what the right is But when on account of the giving utterance to that principle which was advancing to recognition Socrates is condemned to death the sentence bears on the one hand the aspect of unimpeachable rectitude—inasmuch as the Athenian people condemns its deadliest foe—but on the other hand that of a deeply tragical character inasmuch as the Athenians had to make the discovery that what

ties.

In Greece the states had preserved their existence brought a consciousness of their weakness by Philip and Alexander they continued to enjoy an apparent liberty and boasted of an unreal independence. That self-conciousness which underwrote the confidence they could not have and diplomatic statesmen took the lead in the several states orators who were not at the same time generals as was the case formerly e.g. in the person of Pericles. The constitutions of Greece now assume an unusual relation to the different monarchs who continued to contend for the sovereignty of the Greek states—passing also for their future especially for that of Athens for Athens still presented an imposing figure—if not as a power yet certainly as the centre of the higher arts and sciences especially of philosophy and rhetoric. Besides it kept itself more free from the grossness coarseness and passions which prevailed in the other states and made them more temptible and the Syrian and Egyptian king did more than honor us to make Athens largely pre-eminence and the useful qualities. To some extent too the kings of the period reckoned it their greatest glory to render and to keep the Greek states and peoples independent. The mission of Greece had as it were become the general welfare and it passed to a higher title of fame to be called the deliverer of Greece. If we examine the hidden political bearing of this word, we shall find that it denotes the prevention of any indigenous Greek state from obtaining decided superiority and keeping all in state of weakness by partition and disorganization.

The special peculiarity by which each Greek state was distinguished from the others consisted in different limits that of the glorious unit of which each of them has his particular character and peculiarity yet so that this peculiarity does not degenerate from the dignity common to all. When therefore this unit has become weak and has diminished with it as though but the particular remains the people's ability which obtains in the world is very certain is that which on the very unit as upon the pedestal of absolute dependence and conflict with the state yet that feeling of weakness and misery led to common bonds of brotherhood. The *Et Ions* and *Lac* lives as past rev people to pain to violence fraud, and insolence to them as

the charter of rights Sparta was governed by infamous tyrants and odious passions and in this condition was dependent on the Macedonian kings. The Boeotian subject character had, after the extinction of Theban glory sunk down into indolence and the vulgar desire of coarse sensual enjoyment. The *Achaean* league

condition an intimate involvement with the most manifest foreign interests a subtile intertexture

other hand directs its attention to foreign lands and with treachery to its native country begs for the favors of the kings—the point of interest is to manage the fate of these states but the great individuals who arise amid the general corruption and honorably devote themselves to their

due our faults in the means of correcting them. And this is quite applicable to the last of the Greeks who began an undertaking which was as honorable and noble as it was our life began the great Agis and Cleomenes. Aratus and Philopomenus thus sunk under the struggle for the good of the nation. Plutarch sketches for us a highly characteristic picture of the times in general in the episcopate of the importance found in the struggle for the continuance. The third period of the history of the Greeks brings us to the next part on the theatre of the world's history and the chief use of this contact with the present has prevailed been

and broke up the last in the year 46 B.C. Cretans was destroyed. Looking to Greece as Plutarch describes it we see how noble nature

for so many years and to fight out at last the ancient feud and contest between the east and the west. While in this struggle he retaliated upon the Oriental world what Greece had suffered from it, he also made a return for the rudiments of culture which had been derived thence by spreading the maturity and culmination of that culture over the east and as it were changed the stamp of subjugated Asia and assimilated it to a Hellenic land. The grandeur and the interest of this work were proportioned to his genius to his peculiar youthful individuality, the like of which in so beautiful a form we have not seen a second time at the head of such an undertaking. For not only were the genius of a commander, the greatest spirit and consummate bravery united in him, but all these qualities were dignified by the beauty of his character as a man and an individual. Though his generals are devoted to him, they had been the long tried servants of his father, and this made his position difficult for his greatness and youth is a humiliation to them as inclined to regard themselves and the achievements of the past as a complete work, so that while their envy as in Clitus' case arose to blind rage, Alexander also was excited to great violence.

Alexander's expedition to Asia was at the same time a journey of discovery for it was he who first opened the Oriental world to the Europeans and penetrated into countries—as e.g. Bactria, Sogdiana, northern India—which have since been hardly visited by Europeans. The arrangement of the march and not less the military genius displayed in the disposition of battles and in tactics generally will always remain an object of admiration. He was great as a commander in battles, wise in conducting marches and marshalling troops, and the bravest soldier in the thick of the fight. Even the death of Alexander, which occurred at Babylon in the three and thirtieth year of his age, gives us a beautiful spectacle of his greatness and shows in what relation he stood to his army, for he takes leave of it with the perfect consciousness of his dignity.

Alexander had the good fortune to die at the proper time, i.e. it may be called good fortune, but it is rather a necessity. That he may stand before the eyes of posterity as a youth, an early death must hurry him away. Achilles, as remarked above, begins the Greek world and his antitype Alexander concludes it, and these youths not only supply a picture of the fairest kind in their own persons, but at the same time afford a complete and perfect type of Hellenic

existence. Alexander finished his work and completed his ideal and thus bequeathed to the world one of the noblest and most brilliant of visions, which our poor reflections only serve to obscure. For the great world historical form of Alexander, the modern standard applied by recent historical philistines, that of virtue or morality will by no means suffice. And if it be allowed in depreciation of his merit that he had no successor and left behind no dynasty, we may remark that the Greek kingdoms that arose in Asia after him are his dynasty. For two years he was engaged in a campaign in Bactria which brought him into contact with the Massagetae and Scythians, and there arose the Greco-Bactrian kingdom which lasted for two centuries. Thence the Greeks came into connection with India and even with China. The Greek domination spread itself over northern India, and Sandracottus (Chandragupta) is mentioned as the first who emancipated himself from it. The same name presents itself indeed among the Hindus, but for reasons already stated we can place very little dependence upon such mention. Other Greek kingdoms arose in Asia Minor in Armenia, in Syria and Babylonia. But Egypt especially among the kingdoms of the successors of Alexander became a great centre of science and art, for a great number of its architectural works belong to the time of the Ptolemies. As has been made out from the deciphered inscriptions, Alexandria became the chief centre of commerce, the point of union for eastern manners and tradition with western civilization. Besides these the Macedonian kingdom that of Thrace stretching beyond the Danube, that of Illyria, and that of Epirus flourished under the sway of Greek princes.

Alexander was also extraordinarily attached to the sciences, and he is celebrated as next to Pericles the most liberal patron of the arts.

Section III

THE FALL OF THE GREEK SPIRIT

This third period in the history of the Hellenic world, which embraces the protracted development of the evil destiny of Greece, interests us less. Those who had been Alexander's general, now assuming an independent appearance on the stage of history as kings, carried on long wars with each other and experienced almost

such as his has nothing left for it but to despair at the state of affairs and to retreat into philosophy or if it attempts to act can only die in the struggle. In deadly contraposition to the multifarious variety of passion which Greece presents—that distracted condition which whelms good

and evil in one common ruin—stands a blood-fate, an iron power ready to hew up that degraded condition in all its weakness and to dash it to pieces in miserable ruin. For cure and amendment and consolation are impossible. And this crushing destiny is the *Roman power*.

noble Polybus The Roman Empire now at
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domina rece s a great extension on the usual
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Section I

ROME TO THE TIME OF THE SECOND PUNIC WAR

Chapter 1 The Elements of the Roman Spirit

Before we come to the Roman history we have
 to consider the elements of the Roman spirit
 in general, and mention and in esigate the
 origin of Rome with a reference to them Rome
 arose outside of cognate countries in an
 area where three different districts met—those
 of the Latins, Sabines, and Etruscans. It was not
 formed from some ancient stem connected by
 natural patriarchal bonds whose origin might
 be traced up to remote times (as seems to have
 been the case with the Persians which however
 even then ruled large empires) but Rome was
 formed from the very beginning artificial and lent
 of spontaneous growth. It is related that the
 descendants of the Trojans led by Aeneas to
 Italy founded Rome of the connection with
 Asia was a much cherished tradition and there
 as in Italy France and Germany the fabled
 (Nantes) many towns which of their origin, or
 their names to the fabled Trojan. Livy speaks
 of the ancient cities of Rome the Ramnenses
 Tullenses and Luceres. Now if we look upon these
 as distinct nations and assert that they were
 really the elements from which Rome was
 formed we know which in recent times was very
 often chosen to obtain currency was directly
 against the historical tradition. All historians
 agree that in an early period shepherds under
 the leadership of kings ruled over the
 land of Rome that the first Roman community
 consisted of a few predatory clans and that it
 was with difficulty that the sacred institutions
 of the city were thus united. The details of
 these circumstances are also given. Those preda

enter into no connection
 stances characterize it as predatory union with
 which the other states wished to have no connection
 They also refused the invitation to the religious
 festivals and only the Sabines—a simple agricultural
 people among whom, as Livy
 et tri a suberstitio

torical fact. This circumstance itself involves a
 very characteristic feature—that religion is
 used as a means for furthering the purposes of
 the infant state. Another method of extension
 was the conquering of Rome of the inhabitants of
 neighboring and conquered towns. At a later
 date there was also a voluntary migration of
 foreigners to Rome as in the case of the so

He betook himself to Rome says Livy because
 a few people and a spent city existed
 obstacles were to be found there. Lucumo
 tain down, we told, such a degree of respect that
 he afterwards became king.

It is this peculiarity in the founding of the
 state which must be regarded as the essential
 basis of the idiosyncrasy of Rome. For it di
 rectly involves the severest discipline and self
 sacrifice to the grand object of the union. A
 state which had first to form itself and which
 is based on force must be held together by
 force. It is not a moral, liberal connection, but
 a compulsory condition of subordination, that
 results from such an origin. The Roman *virtus*
 is valor not however the merely personal, but
 that which is essentially connected with a union
 of associates. This union is regarded as the
 supreme interest and may be combined with
 lawless violence of all kinds. While the Romans
 formed unions of this kind, they were not in
 deed, like the Latins and Etruscans engaged in an

as such so that we may after all see our way best under their guidance since they allow the validity of the record in the case of leading events. It is otherwise with the philologists by whom generally received traditions are less regarded and who devote more attention to small details which can be combined in various ways. These combinations gain a footing first as historical hypotheses but soon after as established facts. To the same degree as the philologists in their department have the jurists in the department of law. The result is that the ancient part of Roman history has been declared to be nothing but fable so that this department of inquiry is brought entirely within the province of learned criticism which always finds the most to do where the least is to be got for the labour. While on the one side the poetry and the myths of the Greeks are said to contain profound historical truths and are thus transmuted into history the Romans on the contrary have myths and poetical views affiliated upon them and epopees are affirmed to be at the basis of what has been hitherto taken for prosaic and historical.

With the preliminary remarks we proceed to describe the *locality*. The Roman world has its centre in Italy which is extremely similar to Greece and like it forms a peninsula only not so deeply indented. Within this country the city of Rome itself formed the centre of the centre. Napoleon in his memoirs takes up the question which city—if Italy were independent and formed a totality—would be best adapted for its capital. Rome, Venice and Milan may put forward claims to the honour but it is immediately evident that none of these cities would supply a centre. Northern Italy constitutes a basin of the river Po and is quite distinct from the body of the peninsula. Venice is connected only with higher Italy not with the south. Rome on the other hand would perhaps be naturally a centre for middle and lower Italy but only artificially and violently for those lands which were subjected to it in higher Italy. The Roman state rests geographically as well as historically on the element of force.

The locality of Italy then presents no natural unity—as the valley of the Nile the unity was similar to that which Macedonia by its sovereignty gave to Greece though Italy wanted that permeation by one spirit which Greece possessed through equality of culture for it was inhabited by very various races. Niebuhr has pre-

ced his Roman history by a profoundly erudite treatise on the peoples of Italy but from which no connection between them and the Roman history is visible. In fact Niebuhr's History can only be regarded as a criticism of Roman history for it consists of a series of treatises which by no means possess the unity of history.

We observed subjective inwardness as the general principle of the Roman world. The course of Roman history therefore involves the expansion of undeveloped subjectivity in the direction of existence to the visibility of the real world. The principle of subjective inwardness receives positive application in the first place only from without through the particular solution of the sovereignty, the government etc. The development consists in the purification of inwardness to abstract personality which gives it itself reality in the existence of private property, the mutually repellent social units can then be held together only by despotic power. The general course of the Roman world may be defined as this: the transition from the inner sanctum of subjectivity to its direct opposite. The development is here not of the same kind as that in Greece—the unfolding and expanding of its own substance on the part of the principle but it is the transition to its opposite which latter does not appear as an element of corruption but is demanded and posited by the principle itself.

As to the particular sections of the Roman history the common division is that into the monarchy, the republic and the empire—as if in these forms different principles made their appearance but the same principle that of the Roman spirit underlies their development. In our division we must rather keep in view the course of history generally. The annal of every world historical people were divided above into three periods and this statement must prove itself true in this case also. The first period comprehends the rudiments of Rome in which the elements which are essentially opposed still repose in calm unity until the contradictions have acquired strength and the unity of the state becomes a powerful one through this antithetical condition having been produced and maintained within it. In this vigour condition the state directs its forces out against the second period and makes it distant in the theatre of general history. This is the not least period of Rome the Punic War and the contact with the antecedent world historical people. Alexander is opened towards the east the history at the epoch of this contact has been treated by the

noble Polybus The Roman Empire now acquired that world-conquering extension which paved the way for its fall. Internal distraction

tory shepherd received every contribution to their community that chose to join them (Livy II. i. 4 *colluctes*) The rabble of all the three

... and led to ...

diminished the great extension of the empire. The contact of Rome with the north and the German peoples whose turn it now came to play the part in history

Section I

ROME TO THE TIME OF THE SECOND PUNIC WAR

Chapter I The Elements of the Roman Spirit

Before we meet the Roman history we have to consider the elements of the Roman spirit in general, and mention and investigate the origin of Rome with a reference to them. Rome arose *ex terra cognita* in an island where three different districts met—those of the Latins Sabines and Etruscans. It was not formed from some ancient stem connected by natural patrial bonds whose union might be traced up to remote times (as seems to have been the case with the Persians who however even the ruled a large empire) but Rome was formed from the beginning of artificial and lent to posterity its growth. It is believed that the descendants of the Trojans led by Æneas to Italy founded Rome for the first time. With Asia was much historical tradition there as in Italy France and Germany itself (Nantes) many towns have their origin in the name of the fugitive Trojans. Livy speaks of the ancient tribes of Rome the Ramnes the Tities and the Luceres. Now we look upon these as distinct nations and as it that they were early the elements of Rome which Rome was formed, few who in later times have very often tried to obtain currency with the story of the historical tradition. All historians agree that in early period, shepherd and

entered into no connection with predatory union with which the other states wished to have no connection. They also refused the invitation to the religious festivals and only the Sabines—a simple agricultural people among whom, as Livy says prevailed a trust in the *telrica superstition*—partly from superstition on partly from fear prevented them from attacking them. The seizure of the Sabine women also universally received his-

neighboring and conquered towns. At a later date there was also a voluntary migration of foreigners to Rome as in the case of the

a new people and *pent a tque* ... *btas* were to be found there. Lucum attained wealth and dignity of respect that brought rewards to him.

It is this peculiarity in the founding of the state which must be regarded as the essential basis of the constitution of Rome. For it directly involves the severest discipline and self-sacrifice to the grand object of the union. A state which had first to form itself which is based so must be held together by force. It is not a moral liberal connection but a compulsory condition that results from its origin. The Roman constitution is almost wholly the mere elyptical but that which is essentially connected with a union of associates which union is regarded as the supreme interest and may be combined with lawless selfishness of all kinds. While the Romans formed unions of this kind they were not indeed, like the Lacedæmonians engaged in an

Less circumstances are also given. Those predi-

internal contest with a conquered and subjugated people but there arose a distinction and a struggle between *patricians* and *plebeians*. This distinction was mythically adumbrated in the hostile brothers Romulus and Remus. Remus was buried on the Aventine mount this is consecrated to the evil genius and to it are directed the secessions of the plebs. The question comes then how this distinction originated? It has been already said that Rome was formed by robber herdsmen and the concourse of rabble of all sorts. At a later date the inhabitants of captured and destroyed towns were also conveyed thither. The weaker the poorer the later additions of population are naturally under-rated by and in a condition of dependence upon those who originally founded the state and those who were distinguished by valour and also by wealth. It is not necessary therefore to take refuge in a hypothesis which has recently been a favourite one—that the patricians formed a particular race.

The dependence of the plebeians on the patricians is often represented as a perfectly legal relation—indeed even a sacred one—since the patricians had the *sacra* in their hands while the plebs would have been godless as it were without them. The plebeians left to the patricians their hypocritical stuff (*ad decipiendam plebem* Cicero) and cared nothing for their *sacra* and auguries but in disjoining political rights from these ritual observances and making good their claim to those rights they were no more guilty of a presumptuous sacrilege than the Protestants when they emancipated the political power of the state and asserted the freedom of conscience. The light in which as previously stated we must regard the relation of the patricians and plebeians is that those who were poor and consequently helpless were compelled to attach themselves to the richer and more respectable and to seek for their *patronum* in this relation of protection on the part of the more wealthy the protected are called *clientes*. But we find very soon a fresh distinction between the plebs and the *clientes*. In the contentions between the patricians and the plebeians the *clientes* held to their *patroni* though belonging to the plebs as decidedly as any class. That this relation of the *clientes* had not the

In the first predatory period of the state every citizen was necessarily a soldier for the state was based on war this burden was oppressive since every citizen was obliged to maintain himself in the field. This circumstance therefore gave rise to the contracting of enormous debts—the patricians becoming the creditors of the plebeians. With the introduction of laws this arbitrary relation necessarily ceased but only gradually for the patricians were far from being immediately inclined to release the plebs from the cliental relation they rather strove to render it permanent. The laws of the Twelve Tables still contained much that was undefined very much was still left to the arbitrary will of the judge the patricians alone being judges the antithesis therefore between patrician and plebeians continues till a much later period. Only by degrees do the plebeians scale all the heights of official station and attain those privileges which formerly belonged to the patricians alone.

In the life of the Greeks although it did not any more than that of the Romans originate in the patriarchal relation family love and the family tie appeared at its very commencement and the peaceful aim of their social existence had for its necessary condition the extirpation of freebooters both by sea and land. The founders of Rome on the contrary—Romulus and Remus—are according to the tradition themselves freebooters—represented as from their earliest days thrust out from the family and as having grown up in a state of isolation from family affection. In like manner the first Romans are said to have got their wives not by free courtship and reciprocated inclination but by force. This commencement of the Roman life in savage rudeness excluding the sensibilities of natural morality brings with it one characteristic element—harshness in respect to the family relation—a selfish harshness which constituted the fundamental condition of Roman manners and laws as we observe them in the sequel. We thus find family relations among the Romans not as a beautiful free relation of love and feeling the place of confidence is usurped by the principle of severity dependence and subordination. Marriage in its strict and formal shape bore quite the aspect of a mere contract the wife was part of the husband's property (*in manum comento*) and the marriage ceremony was based on a *coemptio* in a form such as might have been adopted on the occasion of any other purchase. The husband acquired a power over his wife such as he had over his

gradually vanished for as soon as individuals found protection in the law the temporary necessity for it could not but cease.

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 and in anarchical disorder was the people's broad

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religion. The element of the Roman people was Etruscan, Latin and Sabine these must have retained an inborn natural disposition to produce the Roman spirit. Of the part the character and the life of the ancient Italian people we know very little—thank to the natural character of Roman historiography—and that little of the most part from the Greek writers of Roman history. In contrast with that primeval wild poetry and tradition of the finite which we observe in the East in contrast with the beautiful harmonious poetry and well-balanced freedom of spirit among the Greeks of the general character of the Romans we may say that the progress of life makes its appearance—ethically—of finiteness, the abstract of the underestimation of the principle of personality which even in the families of the extended self at the moral but remains the unfeeling spiritual unit and emphasizes the unit bond of the eternal social unit only in abstract universality.

This extreme proof of the spirit we find in
Etruscan art which though technically perfect
is so far from natural has nothing of Greek
delight and beauty we observe it in the
development of Roman law and in the Roman
character.

To the constrained non spiritual and unfeeling intelligence of the Roman world we owe the origin and the development of *positive law*. For we saw above how in the east relations in their very nature belonging to the sphere of outward or inward morality were made legal mandate even among the Greeks morality was at the same time juristic right and on that very account the constitution was entirely dependent on morals and disposition and had not yet a fixity of principle within it to counterbalance the mutability of men's inner life and individual subjectivity. The Romans then completed this important separation and discovered a principle of right which is external *scilicet* one not dependent on disposition and sentiment. While they have thus bestowed upon us a valuable gift in point of *form* we can use and enjoy it without becoming victims to that sterile understanding—without regarding it as the *ne plus ultra* of wisdom and reason. They were its victims living beneath its sway but they thereby secured for others freedom of spirit *scilicet* that inward freedom which has consequently become emancipated from the sphere of the limited and the external. Spirit soul disposition religion have now no longer to fear being involved with that abstract juristical understanding. Art too has its external side when in art the mechanical side has been brought to perfection free art can arise and display itself. But those must be noticed *habet*

it as the highest

We see the Romans thus bound up in that abstract understanding which pertains to finiteness. This is their highest characteristic consequently also their highest consciousness in religion. In fact constraint was the religion of the Romans among the Greeks on the contrary it was the cheerfulness of free fantasy. We are accustomed to regard Greek and Roman religion as the same and use the names Jupiter Minerva

or less introduced among the Romans but as the Egyptian religion is by no means to be regarded as identical with the Greek merely because Herodotus and the Greeks form to themselves an idea of the Egyptian divinities under the names Latona Pallas etc so neither

to something spiritual—to a free content

man by nature a relation of freedom and cheerfulness. The Romans on the contrary remained

relation borne to

which thus remained involved in subjectivity came into a relation of constraint and dependence to which the origin of the word *religio* (*ligare*) points. The Roman had always to do with something *secret* in everything he believed in and sought for something *concealed* and while in the Greek religion everything is open and clear present to sense and contemplation—not pertaining to a future world but something friendly and of this world—among the Romans everything exhibits itself as mysterious duplicate they saw in the object first itself and then that which lies concealed in it their history is pervaded by this duplicate mode of viewing phenomena. The city of Rome had besides its proper name another secret one known only to a few. It is believed by some to have been *Valentia* the Latin translation of *Roma* others think it was *Amor* (*Roma* read backwards). Romulus the founder of the state had also another sacred name—*Quirinus*—by which title he was worshipped the Romans too were all called *Quirites*. (This name is connected with the term *curia* in tracing its etymology the name of the Sabine town *Cures* has been had recourse to.)

Among the Romans the religious thrill of awe remained undeveloped it was shut up to the mere subjective certainty of its own existence. Consciousness has therefore given itself no spiritual objectivity—has not elevated itself to the theoretical contemplation of the eternally divine nature and to freedom in that contemplation it has gained no religious substantiality for itself from spirit. The bare subjectivity of conscience is characteristic of the Roman in all that he does and undertakes—in his covenants political relations obligations family relations etc and all these relations receive thereby not merely a legal sanction but as it were a solemnity analogous to that of an oath. The infinite number of ceremonies at the *comitia* on auspicious offices etc are expressions and declarations that concern this firm bond. Everywhere the *sacra* play a very important part. Transactions naturally the most alien to constraint became a *sacrum* and were petrified as it were into that

This category belongs *e.g.* in strict marriage the *confarreat* and the augures and auspices generally. The knowledge of these *acra* *ad* *in* *ome* afford

abstract ones which could only become frigid allegories—partly conditions of being which appear as bringing about a plague or injury and which were presented as objects of worship in their original bare and limited form. We can but briefly notice a few examples. The Romans worshipped *Pax* *Tranquillitas* *Varuna* (*R. pose*) *Ange* on 1 (*Sorrow and Grief*) as duties they consecrated altars to the Plague to Hunger to *Mildew* (*Robigo*) to Fever and to the Dea *Cloacina*. Juno appears among the Romans not merely as *L. cina* the obstetric goddess but also as Juno *Ops* *gina* the divinity who forms the bones of the child and as Juno *Unna* who opens the hinges of the doors at marriages (a matter which was also reckoned among the *sacra*). How little have these poetic concepts in common with the beauty of the spiritual *C. b. O. h. h*

king's wealth at the same time *Isopages crorum*. After the royal dignity had been taken away with it still remain *dx crorum* but the like

sol g

But the essential part in popular feeling is the subject matter with which it occupies itself though this is often asserted on the contrary in modern times that popular feelings exist as a matter of indifference what they occupy them. It has already been mentioned of the Romans that their religious objectivity did not expand into a free spirit. In a moral sense the religiousness of the Romans is to be said that the religion did not develop itself to the religious for it remained essentially formal, and the formalism took its lead from another quarter. From the very definition of itself it follows that it can only be of a finite unboundedness. The chief characteristic of Roman religion is that of a hard and direct implantation of certain lunar myths which they regarded as eternal. In the darkness of the development the myth itself they described them as embodying absolute power. This purpose is to state that for the sake of which they worshipped the gods and by which in a traditional limit they were bound to the deity. The Roman religion is therefore essentially poetic of narrow aspirations expediently fitted. The divinities peculiar to them entirely possess themselves and thus to some useful results which the dry fancy having elevated them to independent power by which they repartly

Fortuna Publica

It was the Romans especially who introduced the practice of not merely supplicating the gods in time of need and celebrating *glectist rna* but

most of the Roman temples thus arose from necessity—from a want of some kind and an obligatory not disinterested acknowledgment of facts. The Greeks on the contrary erected and instituted their beautiful temples and statues and rites from love to be utility and divinity for their own sake.

Only one of the Roman religion exhibits something distinctive and that is the festivals which bear a relation to country life and who observe the winter months in the earliest times. The idea of the *Saturnia* time partly has the conception of a state of things antecedent to and beyond the limits of civil society and political combination but the import is partly taken from the Egyptian—the sun, the courses of the year, the seasons, etc. (with astronomical intimations)—partly from the past spectacles of the court of the

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We see the Romans thus bound up in that abstract understanding which pertains to finiteness. This is their highest characteristic consequently also their highest consciousness in religion. In fact constraint was the religion of the Romans among the Greeks on the contrary it was the cheerfulness of free fantasy. We are accustomed to regard Greek and Roman religion as the same and use the names Jupiter Minerva etc. as Roman deities often without distinguish in them from those of Greeks. This is admissible inasmuch as the Greek divinities were more or less introduced among the Romans but as the Egyptian religion is by no means to be regarded as identical with the Greek merely because Herodotus and the Greeks form to themselves an idea of the Egyptian divinities under the names Latona Pallas etc. so neither

to something spiritual—to a free conception a spiritual form of fancy—that the Greek spirit did not remain in the condition of inward fear but proceeded to make the relation borne to man by nature a relation of freedom and cheer

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does not exist therefore a substantial national unity not that beautiful and moral necessity of united life in the polis but every gens is itself firm stem having its own *pater* and *sacra* which it

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Chapter 2 The History of Rome t th Seco d P nic War

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SACRA

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deeper views of the great powers of nature and their generic processes are not deducible from them for they are entirely directed to external vulgar advantage and the merriment they occasioned degenerated into a buffoonery unrelied by intellect. While among the Greeks their tragic art developed itself from similar rudiments it is on the other hand remarkable that among the Romans the scurrilous dances and songs connected with the rural festivals were kept up till the latest periods without any advance from this naive but rude form to anything really artistic.

It has already been said that the Romans adopted the *Greek* gods (the mythology of the Roman poets is entirely derived from the

diles and ostriches were produced and slaughtered for mere amusement. A body consisting of hundred nay thousand of gladiators when entering the amphitheatre at a certain festival to engage in a sham sea fight addressed the emperor with the words: "Thou who are devoted to death salute thee to excite some compassion. In vain! the whole were devoted to mutual slaughter. In place of human sufferings in the depths of the soul and spirit occasioned by the contradictions of life and which find their solution in destiny the Romans instituted a cruel reality of corporeal sufferings: blood in streams the rattle in the throat which signals death and the expiring gasp were the scenes that delighted them."

This cold negativity of naked murder exhibits at the same time that murder of all spiritual objective aim which had taken place in the soul. I need only mention in addition the auguries, auspices and Sibylline Books to remind you how fettered the Romans were by superstitions of all kinds and that they pursued exclusively their own aims in all the observances in question. The entrails of beasts, flashes of lightning, the flight of birds, the Sibylline dicta determined the administration and projects of the state. All this was in the hands of the patricians who consciously made use of it as a mere outward means of constraint to further their own ends and oppress the people.

talk of Jupiter Juno Minerva sounds like a mere theatrical mention of them. The Greeks made their Pantheon the embodiment of a rich intellectual material and adorned it with bright fancies; it was to them an object calling forth continual invention and exciting thoughtful reflection and an extensive nay inexhaustible treasure has thus been created for sentiment feeling and thought in their mythology. The spirit of the Romans did not indulge and delight itself in that play of a thoughtful fancy; the Greek mythology appears lifeless and exotic in their hands. Among the Roman poets especially Virgil the introduction of the gods is the product of a frigid understanding and of imitation. The gods are used in these poems as machinery and in a merely superficial way regarded much in the same way as in our didactic treatises on the belles lettres where among other directions we find one relating to the use of such machinery in epics—in order to produce astonishment.

The Romans were as essentially different from the Greeks in respect to their public games. In these the Romans were properly peaking only spectators. The mimetic and theatrical representation, the dancing, foot racing and wres-

stage as a singer, lyrist and combatant. As the Romans were only spectators these diversions were something foreign to them; they did not enter into them with their whole souls. With increasing luxury the taste for the baiting of beasts and men became particularly keen. Hunted of be rs lions tigers elephants croco-

The distinct elements of Roman religion are according to what has been said subjective religiosity and a ritualism having for its object purely superficial external aims. Secular aims are left entirely free instead of being limited by religion—in fact they are rather justified by it. The Romans are invariably pious whatever may be the substantial character of their actions. But as the sacred principle here is nothing but an empty form it is exactly of such a kind that it can be an instrument in the power of the devotee: it is taken possession of by the individual who seeks his private objects and interests whereas the truly divine power on the contrary a concrete power in itself. But where there is only a powerless form the individual—the will possessing an independent concreteness able to make that form its own and render it subservient to its views—stands above it. This happened in Rome on the part of the patricians. The possession of sovereignty by the patricians is thereby made firm, sacred, incommunicable, peculiar, the administration of government and political privileges receive the character of hallowed private property. There

had taken place earlier the state would have entered a solution. What would have happened to a state thus homeloss or would have been denied either when living together had not produced mutual co-operation of disposition. The constitution was becoming in some respects. If we look at the matter more closely it is evident (Livy ii.) that no other essential change took place than the transference of the power which was previously permanent in the hands of the consuls. These two elements of power managed military and judicial as well as administrative business for praetors as supreme judges did not appear till a later date.

At first all action remained in the hands of the consuls and at the beginning of the republic generally and externally the state was managed. In the Roman history a period of crisis stretched as late as the Greek which followed the extinction of the dynasties. The Roman first system was the effort with the original king who had found help from the Etruscans. In the war against Porsena the Romans lost all their conquests and even their independence. They were compelled to hand down their arms and to recognize according to an expression of Tacitus (Hist. ii. 12) it seems as if Porsena had expelled them. Soon after the expulsion of the king with the contest between the patricians and plebeians of the battle of the Field of Mars taken place exclusively the change of the anarchy to which the royal power was transferred, while the plebeians for the protection of the kings had ordered all material and judicial power and all property in land, was a long time in the hands of the patricians while the people continually drifted out to war and occupied themselves in peaceful occupations handicrafts and agriculture and the only question of the plebeians was to make better use of the booty. The patricians had lost their own and soil covered by trees and a great many of their lands were covered who on other sides paying taxes and tributes as well as the level of the land. The result of this was a constant state of friction in which the dues were paid by the plebeians. The patricians were obliged to pay attention towards the marriage of the daughters of the plebeians to persons of their own rank in order to assimilate them in blood and to mix up the families and in this way the domination of the plebeians was likewise in the hands of the patricians

and that without the limitations of definite and written laws—desideratum which at a later period the decemvirs were created to supply. All the power of government belonged moreover to the patricians for they were in possession of all offices—first of the consulship afterwards of military tribuneship and censorship (Liv. i. d. A. R. C. 35)—by which the actual administration of government as like with the execution of it was left to them alone. Lastly it was the patricians who controlled the senate. The question as to how that body was recruited appears very important. But in this matter no systematic plan was followed. Romulus is said to have founded the senate consisting then of one hundred members, the succeeding kings increased this number and Tarquinus Priscus fixed it at three hundred. Junius Brutus restored the senate when it had very much fallen away de novo. In later times it was supposed that the censors and sometimes the dictators fixed up the vacant places in the senate. In the Second Punic War A. R. C. 35 a dictator was chosen, who nominated one hundred and seven, seven new consuls he selected those who had been invested with curule dignities, the plebeian aediles tribunes of the people and quaestors citizens who had earned the corona or the corona civica. Under Caesar the number of the senators was raised to six hundred. Augustus reduced it to six hundred. It has been regarded as great negligence on the part of the Roman historians that they give us little

Romans have they did not touch so much were not to formal arrangements for their principal on them was how the government was conducted. How in fact can we suppose that the constitution of the ancient Roman state has been so well defined, and that the time which is even regarded as mythical and is traditionally history as apocryphal.

The people were in some such oppressed condition as the Irish were a few years ago in the British Isles while they remained a lawless and entirely excluded from the government. Often they revolted and made seces on the city. Sometimes they also forced military service on the state. The senate could so long resist superior numbers armed by overseas and prosecuted in war for the main triumph lasted for more than a hundred years. In the first of that

are exhibited Niebuhr is surprised that according to Dionysius and Livy the most ancient constitution was democratic inasmuch as the vote of every citizen had equal weight in the assembly of the people. But Livy only says that Servius abolished the *suffragium viritum*. Now in the *comitia curiata*—the chental relation which absorbed the plebs extending to all—the patricians alone had a vote and *populus* denoted at that time only the patricians. Dionysius therefore does not contradict himself when he says that the constitution according to the laws of Romulus was strictly aristocratic.

Almost all the kings were foreigners a circumstance very characteristic of the origin of Rome. Numa who succeeded the founder of Rome was according to the tradition one of the Sabines—a people which under the reign of Romulus led by Tatius is said to have settled on one of the Roman hills. At a later date however the Sabine country appears as a region entirely separated from the Roman state. Numa was followed by Tullus Hostilius and the very name of this king points to his foreign origin. Ancus Martius the fourth king was the grand son of Numa. Tarquinius Priscus sprang from a Corinthian family as we had occasion to observe above. Servius Tullius was from Corniculum a conquered Latin town. Tarquinius Superbus was descended from the elder Tarquinius. Under this last king Rome reached a high degree of prosperity even at so early a period as this a commercial treaty is said to have been concluded with the Carthaginians and to be disposed to reject this as mythical would imply forgetfulness of the connection which Rome had even at that time with the Etrurians and other bordering peoples whose prosperity depended on trade and maritime pursuits. The Romans were probably even then acquainted with the art of writing and already possessed that clear sighted comprehension which was their remarkable characteristic and which led to that perspicuous historical composition for which they are famous.

In the growth of the inner life of the state the power of the patricians had been much reduced and the kings often courted the support of the people as we see frequently the case in the mediæval history of Europe in order to steal a march upon the patricians. We have already observed this in Servius Tullius. The last king Tarquinius Superbus consulted the senate but little in state affairs he also neglected to supply the place of its deceased members and acted in every respect as if he aimed at its utter

dissolution. Then ensued a state of political excitement which only needed an occasion to break out into open revolt. An insult to the honour of a matron—the invasion of that *sanctum sanc-torum*—by the son of the king supplied such an occasion. The kings were banished in the year 244 of the city and 510 of the Christian Era (that is if the building of Rome is to be dated 753 B.C.) and the royal dignity abolished forever.

The kings were expelled by the patricians not by the plebeians if therefore the patricians are to be regarded as possessed of divine right as being a sacred race it is worthy of note that we find them here contravening such legitimization for the king was their high priest. We observe on this occasion with what dignity the sanctity of marriage was invested in the eyes of the Romans. The principle of subjectivity and piety (*pudor*) was with them the religious and guarded element and its violation becomes the occasion of the expulsion of the kings and later on of the decemvirs too. We find monogamy therefore also looked upon by the Romans as an understood thing. It was not introduced by an express law we have nothing but an incidental testimony in the institutes where it is said that marriages under certain conditions of relationship are not allowable because a man may not have two wives. It is not until the reign of Diocletian that we find a law expressly determining that no one belonging to the Roman empire may have two wives since according to a prelonian edict also infamy attaches to such a condition (*cum etiam in edicto prætoris hujusmodi viri infamia notati sunt*). Monogamy therefore is regarded as naturally valid and is based on the principle of subjectivity.

Lastly we must also observe that royalty was not abrogated here as in Greece by suicidal destruction on the part of the royal races but was exterminated in hate. The king himself the chief priest had been guilty of the grossest profanation the principle of subjectivity revolted against the deed and the patricians thereby elevated to a sense of independence threw off the yoke of royalty. Possessed by the same feeling the plebs at a later date rose against the patricians and the Latins and the allies again the Romans until the equality of the social units was restored through the whole Roman dominion (a multitude of slaves too being emancipated) and they were held together by simple despotism.

Livy remarks that Brutus hit upon the right epoch for the expulsion of the kings for that if

the people could so long be kept in check is manifested its respect for legal order and the *sacra*. But of necessity the plebeians at last secured their righteous demands and their debts were often remitted. The severity of the patricians their creditors the debts due to whom they had to discharge by slave work drove the plebs to revolts. At first it demanded and received only what it had already enjoyed under the kings—landed property and protection against the powerful. It received assignments of land and tribunes of the people—functionaries that is to say who had the power to put a veto on every decree of the senate. When this office commenced the number of tribunes was limited to two; later there were ten of them which however was rather injurious to the plebs since all that the senate had to do was to gain over one of the tribunes in order to thwart the purpose of all the rest by his single opposition. The plebs obtained at the same time the *prolocatio ad populum* that is in every case of magisterial oppression the condemned person might appeal to the decision of the people—a principle of infinite

pecially
desire o

decemviri were nominated the tribunate of the people being suspended to supply the desideratum of a determinate legislation they perverted as is well known their unlimited power to tyranny and were driven from power on an occasion entailing similar disgrace to that which led to the punishment of the kings. The dependence of the *clientela* was in the meantime weakened after the decemviral epoch the *clientes* are less and less prominent and are more

as the senate could now impede the *comitia* and elections. By degrees the plebeians effected their admissibility to all dignities and offices but at first a plebeian consul, edile, censor etc. was not equal to the patrician one on account of the *sacra* which the latter kept in his hands and a long time intervened after this concession before a plebeian actually became a consul. It was the *tribunus plebis* Licinius who established the whole cycle of the political arrangements in the second half of the fourth century. A.C. 387. It was he also who chiefly commenced the agitation for the *lex agraria* respecting which so much has been written and debated among the learned of the day. The agitators for this law

tions in Rome. The plebeians were practically excluded from almost all the landed property and the object of the agrarian laws was to provide land for them—partly in the neighborhood of Rome partly in the conquered districts to which colonies were to be then led out. In the time of the republic we frequently see military leaders assigning lands to the people but in every case they were accused of striving after royalty because it was the kings who had exalted the plebs. The agrarian law required that no citizen should possess more than five hundred *jugera*; the patricians were consequently obliged to surrender a large part of their properties. Niebuhr in particular has undertaken extensive researches respecting the agrarian laws and has conceived himself to have made great and important discoveries; he says that an infringement of the sacred right of property was never thought of but that the state had only assigned a portion of the public land for the use of the plebs having always had the right of disposing of them as its own property. I only remark in passing that Hegewisch had made this discovery before Niebuhr and that Niebuhr derived the particular data on which his assertion rests from Appian and Plutarch that is from Greek authors respecting whom he himself allows that we should have recourse to only in an extreme case. How often does Livy as well as Cicero and others speak of the agrarian laws while nothing definite can be inferred from their statements!

This is another proof of the inaccuracy of the Roman historians. The whole affair ends in nothing but a useless question of jurisprudence. The land which the patricians had taken into possession or in which colonies settled was originally public land but it also certainly belonged to those in possession and our information is not at all promoted by the assertion that it always remained public land. This discovery of Niebuhr's turns upon a very immaterial distinction existing perhaps in his ideas but not in reality. The Licinian law was indeed carried but soon transgressed and utterly disregarded. Licinius Stolo himself who had first agitated for this law punished because he possessed a larger property in land than was allowed and the patricians opposed the execution of the law with the greatest obstinacy. We must here call especial attention to the distinction which exists between the Roman the Greek and our own circumstances. Our civil society rests on other principles and in such measures are not necessary Spartans and Athenians who had not

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 1960-1961 that the p¹ has att. and the n_e

Roman annals: in whose pages we see the
 Romans carrying on war with enemies
 without learning anything further of the
 world. e.g. the Etruscans the Samnites
 the Lucanians with whom they carried on wars
 during many hundred years. It is singular in re-
 gard to these transactions that the Romans who
 have the justification conceded by the world have
 on the other side should also claim for themselves
 the minor justification in respect to manifes-
 tations and treaties on occasion of minor infractions
 after

do up self externally. A period of satisfied
 an on in the common interest and
 - - - are weary of the final struggle
 When a revolution does not direct itself
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 strength in the previous movement and
 and longer having to subject within seeks
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 be broken - - - seriously at last period
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 Rome had to depend itself in war and the
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 culties to which they led kept the Romans to-
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war of the Romans. It is partly because
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a d deem i expedient t be u The Ro-
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We have thus reached the end of the first epoch of Roman history in which the Romans by the first military conquest had become potentates in a strength proportionate to the extent of their world. The Roman dominion was on the whole not extended greatly at the end only few colonies had settled on the other side of the Pyrenees and on the other considerable power. It is noted that of Rome. It was the Second Punic War the first that gave the impulse to its territorial expansion with the military power of the first time that the Roman came into contact with Macedonia, Asia, Syria and ultimately with Egypt. It is the Roman era, the central first great stretch of empire but this it was as a development.

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observe the fall of his country through the graceful passions of the Greeks and the baseness and inexorable persistency of the Romans

Section II

ROME FROM THE SECOND PUNIC WAR TO THE EMPERORS

The second period according to our division begins with the Second Punic War that epoch which decided and stamped a character upon Roman dominion. In the First Punic War the Romans had shown that they had become a match for the mighty Carthage which possessed a great part of the coast of Africa and southern Spain and had gained a firm footing in Sicily and Sardinia. The Second Punic War laid the might of Carthage prostrate in the dust. The proper element of that state was the sea but it had no original territory formed no nation had no national army its hosts were composed of the troops of subjugated and allied peoples. In spite of this the great Hannibal with such a host formed from the most diverse nations brought Rome near to destruction. Without any support he maintained his position in Italy for sixteen years against Roman patience and perseverance during which time however the Scipios conquered Spain and entered into alliances with the princes of Africa. Hannibal was at last compelled to hasten to the assistance of his hard pressed country he lost the battle of Zama in the year 55 A.U.C. and after six and thirty years revisited his paternal city to which he was now obliged to offer pacific counsels. The Second Punic War thus eventually established the undisputed power of Rome over Carthage it occasioned the hostile collision of the Romans with the king of Macedonia who was conquered five years later. Now Antiochus the king of Syria is involved in the *mêlée*. He opposed a huge power to the Romans was beaten at Thermopylæ and Mænissa and was compelled to surrender to the Romans Asia Minor as far as the Taurus. After the conquest of Macedonia both that country and Greece were declared free by the Romans—a declaration whose meaning we have already investigated in treating of the preceding historical nation. It was not till this time that the Third Punic War commenced for Carthage had once more raised its head and excited the jealousy of the Romans. After long resistance it was taken and laid in ashes. Nor could the Achaean league now long

maintain itself in the face of Roman ambition the Romans were eager for war destroyed Corinth in the same year as Carthage and made Greece a province. The fall of Carthage and the subjugation of Greece were the central points from which the Romans gave its vast extent to their sovereignty.

Rome seemed now to have attained perfect security no external power confronted it she was the mistress of the Mediterranean—that is of the *media terra* of all civilization. In this period of victory its morally great and fortunate personages especially the Scipios attract our attention. They were morally fortunate although the greatest of the Scipios met with an end outwardly unfortunate because they devoted their energies to their country during a period when it enjoyed a sound and unimpaired condition. But after the feeling of patriotism the dominant instinct of Rome had been satisfied destruction immediately invades the state regarded *en masse* the grandeur of individual character becomes stronger in intensity and more vigorous in the use of means on account of contrasting circumstances. We see the internal contradiction of Rome now beginning to manifest itself in another form and the epoch which concludes the second period is also the second mediation of that contradiction. We observed that contradiction previously in the struggle of the patricians against the plebeians now it assumes the form of private interest contravening patriotic sentiment and respect for the state no longer hold these opposites in the necessary equipoise. Rather we observe now side by side with wars for conquest plunder and glory the fearful spectacle of civil discords in Rome and intestine wars. There does not follow as among the Greeks after the Median wars a period of brilliant splendour in culture art and science in which spirit enjoys inwardly and ideally that which it had previously achieved in the world of action. If inward satisfaction was to follow the period of that external prosperity in war the principle of Roman life must be more concrete. But if there were such a concrete life to evolve as an object of consciousness from the depths of their soul by imagination and thought what would it have been! Their chief spectacles were triumphs the treasures gained in war and captives from all nations unsparingly subjected to the yoke of abstract sovereignty. The concrete element which the Romans actually find within themselves is only this unspiritual unity and any definite thought or feeling of a non abstract kind can lie only in

Leaves a trace of individuals. The tension of virtuousness was relaxed, because the danger was past. At the time of the First Punic War necessity united the hearts of all for the saving of Rome. In the following wars too with Macedonia, Syria, and the Gauls in upper Italy the existence of the state was still concerned. But after the danger from Carthage and Macedonia as in the subsequent wars were more and more the mere consequences of victories and thus less was needed than to gather the resources. The armies were used for particular expeditions, suggested by policy or for the advantages of individuals—so a quivering wealth glorifying itself in the abstract. The latent power of other nations was purely that of force. The national individuality of peoples did not as

object. The Roman state during its respite from rapine came to be rent in sunder by quarrels about dividing the spoil. For the first time the breaking out of contention with

which had been the object of individualism in the state. His chief object was to procure property for the free citizens and to people Italy with citizens instead of slaves. This noble Roman however was vanquished by the grasping nobles for the

god. The Roman discontent in the East was a result to the other nations so that they could only the First Century. Whether they expected the decay of the things (more than the political things of the past) but as the consequences in the strict sense of the term they plunged the pallid flesh to Rome kept tending more the independence as a political independence was sent to them as a curse. The equitable collection of taxes and tribute which they furnished and the state of affairs which the Romans (politicians) was thus drawn out while Rome would be used

energy could be physical force were the ascendant. The enormous corruption of Rome displayed itself in the wars with Jugurth who had gained the empire by bribery and indulged himself in the most atrocious deeds of violence and crime. Rome was pervaded by the excitement of the struggle against the Carthaginians and the Teutons who summed men's position towards the state. With great exertions the latter were utterly routed. Perseus near Aix the others the Lombards the Adige by Marius the conqueror of Jugurth. Then the Italians all whose dominion of Roman citizenship had been confiscated were sold while the Romans had to suit a struggle against the

Italy they received the news that the command of Mithridates 80,000 Romans had been put to death in Asia Minor. Mithridates was King of Pontus and Colchis and the lord of the Black Sea as far as the Tiber in Asia and could summon to his standards in his wars with Rome the populations of the Caucasus of Armenia Mesopotamia and parts of Syria and his son-in-law Tigranes the Great who had destroyed the Roman hosts in the Social War. The king of Athens who had hitherto been regarded as a rebel against the Athenians for the sake of the republic as Sulla expected himself not destroyed. He then returned to Rome and Macedonia became the theatre of the city's domestic system of material increase of Rome's means of consideration. Forty senators and six

strictly for the government of the provinces of the empire. The will in opposition to the state's interests was the result of the determination but appearing in the form of the law. The individual interests of the people were in the general interest of the individual with Rome itself and the corruption of the Roman Republic was a necessary result of the Roman Republic's wealth. The Roman Republic was not the fruit of the struggle for the state's existence in the same way as the material had risen from the material interests of commerce but with a law like

hundred knights were sacrificed to his ambition and lust of power

Mithridates was indeed defeated but not overcome and was able to begin the war anew. At the same time Sertorius a banished Roman arose in revolt in Spain carried on a contest there for eight years and perished only through treachery. The war against Mithridates was terminated by Pompey the king of Pontus killed himself when his resources were exhausted. The Servile War in Italy is a contemporaneous event. A great number of gladiators and mountaineers had formed a union under Spartacus but were vanquished by Crassus. To this confusion was added the universal prevalence of piracy which Pompey rapidly reduced by a large armament.

We thus see the most terrible and dangerous powers arising against Rome yet the military force of this state is victorious over all. Great individuals now appear on the stage as during the times of the fall of Greece. The biographies of Plutarch are here also of the deepest interest. It was from the disruption of the state which had no longer any consistency or firmness in itself that these colossal individualities arose instinctively impelled to restore that political unity which was no longer to be found in men's dispositions. It is their misfortune that they cannot maintain a pure morality for their course of action contravenes things as they are and is a series of transgressions. Even the noblest—the Gracchi—were not merely the victims of injustice and violence from without.

But what can be accomplished has on its side the higher sanction of the world spirit and must eventually triumph. The idea of an organization for the vast empire being altogether absent the senate could not assert the authority of government. The sovereignty was made dependent on the people—that people which was now a mere mob and was obliged to be supported by corn from the Roman provinces. We should refer to Cicero to see how all affairs of state were decided in riotous fashion and with arms in hand by the wealth and power of the grandees on the one side and by a troop of rabble on the other. The Roman citizen

fore apparently the defender of the Republic—on the other Caesar with his legions and a superiority of genius. This contest between the two most powerful individualities could not be decided at Rome in the forum. Caesar made himself master in succession of Italy Spain and Greece utterly routed his enemy at Pharsalus forty eight years before Christ made him emperor of Asia and so returned victor to Rome.

In this way the world wide overignty of Rome became the property of a single possessor. This important change must not be regarded as a thing of chance it was necessitated by the circumstances. The democratic constitution could no longer be really maintained in Rome but only kept up in appearance. Cicero who had procured himself great respect through his high oratorical talent and whose learning acquired him considerable influence always attributes the corrupt state of the republic to individuals and their passion. Plato whom Cicero professedly followed had the full consciousness that the Athenian state as it presented itself to him could not maintain its existence and therefore sketched the plan of a perfect constitution accordant with his views. Cicero on the contrary does not consider it impossible to preserve the Roman Republic and only desiderates some temporary assistance for it in its adversity. The nature of the state and of the Roman state in particular transcend his comprehension. Cato too says of Caesar: His virtues be execrated for they have ruined my country! But it was not the mere accident of Caesar's existence that destroyed the republic—it was necessity. All the tendencies of the Roman principle were to sovereignty and military force.

Of a patriotism that of preserving the state ceases when the lust of personal dominion becomes the impelling passion. The citizens were alienated from the state for they found in it no objective satisfaction and the interests of individuals did not take the same direction.

In literature and poetry and especially a highly cultivated philosophy. Their works of art were only what they had collected from every part of Greece and therefore not productions of their own. Their riches were not the fruit of industry as was the case in Athens but the result of plunder. Elegance—culture—was foreign to the Romans *per se* they sought to obtain it from

the Greeks and for this purpose a great number
of Greek slaves were brought to Rome. Delos
was the centre of this slave trade and it is said
that some times on a single day ten thousand
slaves were purchased there. The Romans

the Roman state and now the
compelled to adopt that opinion since in all
periods of the world a political revolution is
dictated in men's opinions when it repeats
itself. Thus Napoleon was twice defeated and
the Bourbons twice expelled. By repetition that
which at first appeared merely a matter of
chance and contingency becomes a real and rat-
ified existence.

all publicans were decided by the people
to give them more money—by the
people their wealth and what tumultuary pro-
ceedings marked all political transactions. In the
result for the few men to get an equal
share that could be looked for only in a single
war. Caesar who made the decisions for the
of Rome up to the end of the day—who
fined his soldiers with the most unerring pe-
recution and executed them with the greatest
vigor and practical skill with any uperfl-

Section III

Chapter 1 Rome Under the Emperors

During this period the Romans came into contact with the people destined to succeed them as a world historical nation and we have to consider that period in two essential aspects. The secular and the spiritual. In the secular aspect two leading phenomena must be specially regarded: first the position of the *ius* and secondly the conversion of material individuals into *persons*—the world of legal relations.

Cassius cited two objects: he calmed the eternal life and at the same time registered a victory over the limit of the empire. For the conqueror of the world had each day hitherto only the cliffs of the Alps but Cassius perceived a new scene: a heaven that he founded there. He knew that posterity would magnify his history. His triumphs exalted universal glory but true glory was said to do not march in the light of the sun but in the light of the Roman world. His position was indeed hostile to the empire but people speaking only to themselves had no fear that man could find that public glory entirely powerful. Pompey dealt all the blows that he desired to the senate exalted their dignity and raised the standard of rule as the power of the empire and the monarchy which needed protection took refuge and thus the Cassian dynasty emptied the formalism of this title made him himself a double-edged sword. The Roman world by its opposition to the liberal institutions of the west was blessed with a Roman upholding Cassian rule to be a model of eternal things and thus the position of Cassius must be dependent on his individuality. So thought Cassius Brutus. Cassius believed that if this could be done they would be free of the world but the people would be free to rule. Possessed by the emblem of the eternal world Brutus a man of highly brilliant character and Cassius ended with the greatest title.

The first thing to be remarked respecting the imperial rule is that the Roman government was so abstracted from material interests that the great transition in the rule hardly changed anything in the constitution. The popular assemblies alone were unsuited to the new state of things and disappeared. The emperor was *princeps senatus* and so could influence the senate, but the military power he himself sent into the provinces. The important was exclusively in his hand. The constitution was virtually unbalanced from which all stability equally diminished and power had departed and the only means of maintaining its existence were the legions which the emperor stationed in the vicinity of Rome. Public life was indeed brought before the emperor and the emperor rapedly diminished its influence but the emperor was obliged to obey and whose emperor could say his will was punished with death by popular criticism. Those who had obtained death in anticipation killed themselves so that if they would do this more they might at least preserve the reputation of the family. Tibullus was the most obvious of the Romans in account of his power of simulation he knew very well how to make good use of his baseness. The emperor in turn put together them who might be feared. The power of the emperor reduced, as we have said, on the army and the

Pretorian bodyguard which surrounded him
But the legions and especially the Pretorians

some respect for the family of Cæsar Augustus
but subsequently the legions chose their own
generals such as had gained their good
will and favor partly by courage and intelli

enjoyment of their power with perfect simplicity
and did not surround themselves with pomp and
splendour in Oriental fashion We find in them
traits of simplicity which astonish us Thus e.g.
Augustus writes a letter to Horace in which he
reproaches him for having failed to address any
poem to him and asks him whether he thinks
that that would disgrace him with posterity
Sometimes the senate made an attempt to regain
its consequence by nominating the emperor but
their nominees were either unable to maintain
their ground or could do so only by bribing the
Pretorians The choice of the senators and the
constitution of the senate was moreover left
entirely to the caprice of the emperor The polit-
ical institutions were united in the person of
the emperor no moral bond any longer existed
the will of the emperor was supreme and before
him there was absolute equality The freedmen
who surrounded the emperor were often the
mightiest in the empire for caprice recognises
no distinction In the person of the emperor
isolated subjectivity has gained a perfectly un-
limited realization Spirit has renounced its
proper nature inasmuch as limitation of being
and of volition has been constituted an unlimited
absolute existence This arbitrary choice more-
over has only one limit the limit of all that is
human—death and even death became a theat-
rical display Nero e.g. died a death which
may furnish an example for the noblest hero as
for the most resigned of sufferers Individual
subjectivity thus entirely emancipated from con-
trol has no inward life no prospective nor retro-
spective emotions no repentance nor hope nor
fear—not even thought for all the involve
fixed conditions and aims while here every con-
dition is purely contingent The springs of action
are none other than desire lust passion fancy—
in short caprice absolutely unfettered It finds
so little limitation in the will of other that the
relation of will to will may be called that of ab-
solute sovereignty to absolute slavery In the
whole known world no will is imagined that is

not subject to the will of the emperor But under
the sovereignty of that one everything is in a
condition of order for as it actually is it is in
due order and government consists in bringing
all into harmony with the sovereign one The
concrete element in the character of the emper-
ors is therefore of itself of no interest because
the concrete is not of essential importance Thus
there were emperors of noble character and noble
nature and who highly distinguished themselves
by mental and moral culture Titus Trajan the
Antonines are known as such characters rigor-
ously strict in self government yet even these
produced no change in the state The proposition
was never made during their time to give the
Roman Empire an organization of free social
relationship they were only a kind of happy
chance which passes over without a trace and
leaves the condition of things as it was For
these persons find themselves here in a position
in which they cannot be said to act since no ob-
ject confronts them in opposition they have
only to will—well or ill—and it is so The prais-
eworthy emperors Vespasian and Titus were suc-
ceeded by that coarsest and most loathsome ty-
rant Domitian yet the Roman historian tells
us that the Roman world enjoyed tranquilizing
repose under him Those single points of light
therefore effected no change the whole empire
was subject to the pressure of taxation and
plunder Italy was depopulated the most fertile
lands remained untilled and this state of things
lay as a fate on the Roman world

The second point which we have particularly
to remark is the position taken by individuals
as persons Individuals were perfectly equal
(slavery made only a trifling distinction) and
without any political right As early as the ter-
mination of the Social War the inhabitants of the
whole of Italy were put on an equal footing with
Roman citizens and under Caracalla all distinc-
tion between the subjects of the entire Roman
empire was abolished Private right developed
and perfected this equality The right of prop-
erty had been previously limited by distinctions
of various kind which were now abrogated We
observed the Romans proceeding from the prin-
ciple of abstract subjectivity which now realises
itself as personality in the recognition of private
right Private right is thus that the social
unit as such enjoys consideration in the state
in the reality which he gives to himself—and in
property The living political body that Roman
feeling which animated it as its soul is now
brought back to the isolation of a lifeless pri-
vate right As when the physical body suffers

Each point gains a life of its own, which is only the miserable life of worms. The political organism is here dissolved into private persons. Such a condition is Roman life at this epoch—on the one side a sad and abstract universality of existence, on the other the individual betraction. For

thought, the of the activity which produces the universal. But the inward reconciliation by means of philosophy was itself only an abstract one—in the pure principle of personality for thought which as perfectly refined, made it

It is the pride of the social units to enjoy private importance as private persons for the unity is thus subordinated to assert unbounded claims. The substantial interest thus comprehended is only of a superficial kind, and the development of private life, which thus has principle introduced, led to the decay of political life. The emperor does merely only and could no be said to rule for the equitable and moral medium between the sovereign and the subjects was wanting—the bond of constitution and organism on the state in which division of circles of social life enjoying in dependent recognition, exists in communities and towns each devoting their energies to a general interest, exerting influence on the general government. There are indeed cities in the towns, but they are either destined of utility, or used only as means of oppression in the state, and of systematic plunder. That, therefore, which was humanly present in the times of men was their country or community, as well as the whole state if urged them to defend themselves to fight and strive for perfect adherence to life—individuality which they could be in free from the light or in direct sensuous enjoyment. This man was either at war with existence or entirely given up to the sensuous existence. He either recognized his destiny in the task of acquiring the means of enjoyment through the life of the emperor or through the contemplation of the divine and eternal to be sought repose in philosophy which alone was all about him—sometimes firm and independent of the things of this time—wisdom, Epicureanism, and Stoicism—although when their common sphere opposed to each other had the same general purpose, rendering the soul absolutely indifferent to everything which the real world had to offer. These philosophies were therefore widely extended among the educated they produced in man a self-reliance, immobility as the result of

to be real and was the counsel of despair. The world was no longer possible as anything stable. It could not satisfy the living spirit which longed after higher reconciliation.

Chapter Christianity

It has been remarked that Caesar inaugurated the modern world on the idea of the unity while its spiritual and inward existence was unfolded under Augustus. At the beginning of that empire whose principle we have recognized as final and particular subjectivity exaggerated to infinitude the salvation of the world had its birth in the same principle of subjectivity—rather as a particular person in abstract subjectivity but in such a way that consciousness is only the form of his appearance while infinity and absolutely independent existence constitute the essence and substantial being which embodied. The Roman world, as it has been described—in its desperate condition and the pain of bondage by God—came to an open rupture with earth and had present the general desire for satisfaction which can only be attained in the inner man, the soul, thus preparing the ground for a higher spiritual

spirit, which manifested itself in connection with the Christian religion. This higher spirit in the reconciliation and emancipation of spirit while man obtains the consciousness of spirit in its universality and infinity. The absolute object, truth is spirit and as man himself is spirit, he is present to himself in that object, and thus in his absolute object has found essential being and for himself essential being. But in order that the objectivity of essential being may be done away with, and spirit be of itself alien to itself may with itself the natural essence of spirit—that is the truth of which man is a special, empirical existence—must be removed

so that the alien element may be destroyed and the reconciliation of spirit be accomplished

God is thus recognized as *spirit* only when known as the triune This new principle is the axis on which the history of the world turns This is the goal and the starting point of history

When the fulness of the time was come God sent His Son is the statement of the Bible

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of spirit you come to feel the necessity of comprehending those phases absolutely This must now be more fully explained We said of the Greeks that the law for their spirit was

Man know thyself The Greek spirit was a consciousness of spirit but under a limited form having the element of nature as an essential ingredient Spirit may have had the upper hand but the unity of the sun

nationalities and of their divinities and was represented by *art* in whose sphere the sensuous is elevated only to the middle ground of beautiful form and shape but not to pure thought The element of sub

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look its material from passion and caprice—even the most shameful degradations could be here connected with a divine dread (vide the declaration of Hippolyte in the Bacchanalia Livy xxix 13) This element of subjectivity afterward further realized as personality of individuals—a realization which is exactly adequate to the principle and is equally abstract and formal As such an ego I am infinite to myself and my phenomenal existence consists in the property recognized as mine and the recognition of my personality This inner existence goes no further all the applications of the principle merge in this Individuals are thereby posited as atoms but they are at the same time subject to the ever rule of the One which as *monas monadum* is a power over private persons That private right is therefore *ipso facto* a nullity an ignoring of the personality and the supposed condition of right turns out to be an absolute dstitution of it

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persons lays claim to the possession of all these individuals so that the right assumed by the

social unit is at once abrogated and robbed of validity But the misery of this contradiction is the discipline of the world Zucht (discipline) is derived from *ziehen* (to draw) This drawing must be towards something there must be some fixed unity in the background in whose direction that drawing takes place and for which the subject of it is being trained in order that the standard of attainment may be reached A renunciation of a disaccustomed is the means of leading to an absolute basis of existence That

contradiction

the ver

a discipl

compels

But it is reserved for us of a later period to re

gard this as a training to those who are thus

trained it seems a blind destiny to which they

submit in the stupor of suffering The higher

condition in which the soul itself feels pain and

longing—in which man is not only drawn

but feels that the drawing is into him self—is

still absent What has h

must

discipl

himself

suffering

as already said be merged in a sor

row of the inner man He must feel himself as

the negation of himself he must see that his

misery is the misery of his nature—that he is

in himself a divided and discordant being This

state of mind this self chastening this pain

occasioned by our individual nothingness—the

wretchedness of our self and the longing to

transcend this condition of soul—must be looked

for elsewhere than in the properly Roman world.

It is this which gives to the Jewish people the

world historical importance and weight for

from this state of mind arose that higher phase

in which spirit came to absolute self conscious

ness—passing from that alien form of being

which is its discord and pain and mirroring it

self in its own essence The state of feeling in

question we find expressed most purely and

beautifully in the Psalms of David and in the

Prophets the chief burden of whose utterance

is the thirst of the soul after God its profound

sorrow for its transgressions and the desire for

righteousness and holiness Of this spirit we

have the mythical representation at the very

beginning of the Jewish canonical books in the

account of the Fall Man created in the image

of God lost it is said his state of absolute con

temptment by eating of the tree of the knowledge

of good and evil Sin consists here only in know

ledge this is the sensual element and by it man is

and to be turned away has no real happiness. This is a deep truth that evil lies in consciousness for the better, rather than evil in a good that merely is evil man quite as little. Consciousness occurs in the separation of the ego in its boundless freedom as arbitrary choice, from the mere ego of the will—separated from the root knowledge as the disavowal of the mere freedom in the Fall, which is no conscious conception, but the eternal history of man. For the state of innocence the paradisaical condition, is that of the brute. Paradise is a park where only brutes or men can remain. For the brute is with God only implicitly. Only man's own (that is) the self-consciousness exists. This existence for self thus consciousness is at the same time separation from the universal and divine spirit. If I hold it in my grasp freedom, in conjunction to the good I am at the standpoint of evil. The Fall is there for the eternal history of man—in fact it is the turning point where he becomes man. Perfection in this standpoint is to have evil, and the feeling of pain at which he dies, and of knowing to transcend it we find in David, when he says: Lord, create for me pure heart, a new spirit within me. This feeling we observe even in the count of the Fall though an announcement of reconciliation is made there but rather the feeling of misery. Yet we live in this misery to find some reconciliation in the sense of the serpent's head which is used but all more profoundly expressed were it is said that when God saw that Adam had eaten of that tree he said: Behold Adam is become as one of us knowing good and evil. God confirms the words of the serpent: Innocent and expel them. We have the truth that man through spirit—through cognition of the universal and the particular—in friendship with God Himself. But it is only God that remains as the latter remains on the contrary in the eternal discord. The joy of reconciliation is told tant from human to the absolute and final repose of his whole being is yet discovered to man. It exists in the first glance only of God. As if the present is concerned the feeling of pain that his Adam is regarded as final word. The satisfaction which man enjoys is first on his in the first and temporal blessings conferred on the chosen family and the possession of the Land of Canaan. His repose is to find in God. Adam's rest is true entered in Him in the temporal and eternal made by his own merits and

I was alive without the law once, etc. Romans, 7 9

inward penitence. But that murder was a fact on in the chosen family and as possession of Canaan was taken from the Jewish people in the chastisement inflicted by the Roman Empire. The Christians did indeed express this will of the Romans to annihilate and destroy. The Temple of Zion is destroyed the God-chosen nation is scattered to the winds. Here every source of satisfaction is taken away and the nation is driven back to the darkness of that primordial in this—the standpoint of that painful feeling which human experiences when thrown upon itself. Overcome to the universal of the Roman world we have here the consciousness of evil and the direction of the mind Godward. All that remains to be done is that the fundamental idea would be expanded to an objective universal sense and be taken as the concrete existence of man—as the completion of his nature. Formerly the Land of Canaan and themselves as the people of God had been regarded by the Jews as the concrete and concrete to existence. But this basis of satisfaction is now lost and thence arises the sense of misery and failure of hope in God, with whom that happy reality had been essentially connected. Here then misery is not the undiminished in blind fate but boundless extension of longing. Stoicism taught only that the necessity is that pain must not be recognized as a veritable existence but Jewish feeling per

nature—the unit of reality of subjectivity with the substance of the essential being. Through the loss of mere outward reality spirit is driven back within itself the idea of reality is thus refined to universality through the inference of the idea. The Ontological synthesis of light and darkness is transferred to spirit and the darkness becomes unit. For the abnegation of reality there is no compensation but subjectivity itself—the human will in intrinsically universal and thereby alone does reconciliation become possible. Since is the discerning of good and evil's separation but this discerning likewise heals the ancient hurt and is the unit in infinite reconciliation. The discerning in question brings with it the deduction of that which is eternal and alien in consciousness and is consequently the return of subjects to itself. This then adopted as the actual life-necessity of the world is the conclusion of the Jewish world. From that universal sorrow in which the two sides of the an

thesis stand related to each other is developed the unity of God with reality (which latter had been posited as negative) i.e. with subjectivity which had been separated from Him. The infinite loss is counterbalanced only by its infinity and thereby becomes infinite gain. The recognition of the identity of the subject and God was introduced into the world when the fullness of time was come: the consciousness of this identity is the recognition of God in his true essence. The material of truth is spirit itself—inherent vital movement. The nature of God as pure spirit is manifested to man in the Christian religion.

But what is spirit? It is the one immutably homogeneous infinite—pure identity—which in its second phase separates itself from it self and makes this second aspect its own polar opposite: i.e. as existence for and in self as contrasted with the universal. But this separation is annulled by the fact that atomistic subjectivity as simple relation to itself is itself the universal, the identical with self. If spirit be defined as absolute reflection within itself in virtue of its absolute duality—love on the one hand as comprehending the emotional knowledge on the other hand as spirit—it is recognized as *trine*: the

Father and the Son and that duality which essentially characterizes it as Spirit. It must further be observed that in this truth the relation of man to this truth is also posited. For spirit makes itself its own opposite and is the return from this opposite into itself. Comprehended in pure ideality, that antithetic form of spirit is the Son of God—reduced to limited and particular conceptions it is the world nature and finite spirit: finite spirit itself therefore is posited as a constituent element in the divine being. Man himself therefore is comprehended in the idea of God and this comprehension may be thus expressed—that the unity of man with God is posited in the Christian religion. But this unity must not be superficially conceived as if God were only man and man without further condition were God. Man on the contrary is God only in so far as he annuls the merely natural and limited in his spirit and elevates himself to God. That is to say it is obligatory on him who is a partaker of the truth and knows that he himself is a constituent of the divine idea to give up his merely natural being for the natural is the unspiritual. In this idea of

of man with God. This implicit unity exists in the first place only for the thinking speculative consciousness but it must also exist for the sensuous representative consciousness—it must become an object for the world—it must appear and that in the sensuous form appropriate to spirit which is the human.

Christ has appeared—a man who is God—God who is man—and thereby peace and reconciliation have accrued to the world. Our thoughts naturally revert to the Greek anthropomor-

further its being unique in its kind: it can occur only once for God is realized as subject and as manifested subjectivity is exclusively one and indivisible. The Incarnations are ever and anon chosen anew because God is known in the East as substance whose infinity of form is recognized merely in an unlimited multitude of outward and particular manifestations. But subjectivity as infinite relation to self has its form in itself and as manifested must be a unity excluding all others. Moreover the sensuous existence in which spirit is embodied is only a transitory phase. Christ died only as dead: he exalted to heaven and sits at the right hand of God: only thus is he spirit. He himself says: When I am no longer with you the Spirit will guide you into all truth. Not till the Feast of Pentecost were the Apostles filled with the Holy Ghost. To the Apostles Christ as living was not that which he was to them subsequently as the spirit of the Church in which he became to them for the first time an object for their truly spiritual consciousness. On the same principle we do not adopt the right point of view in thinking of Christ only as a historical bygone personality. So regarded the question is asked: what are we to make of his birth, his father and mother, his early domestic relations, his miracles, etc.?—i.e. what is he unspiritually regarded? Considered only in respect of his talents, character and morality as a teacher and so forth we place him in the same category with Socrates and others though his morality may be ranked higher. But excellence of character, morality, etc.—all this is not the *ne plus ultra* in the requirements of spirit—does not enable man to gain the speculative idea of spirit for his receptive faculty. If Christ is to be looked upon

and as an excellent, even impeccable individual and nothing more the concept of the speculative idea, false late truth is given. But this is the desideratum the point from which we

Christ who you will

interest of pass or originated in this or quarter let all such circumstances have been at any might—the only concern question that is the idea or the truth and for itself?

Further the real situation of the divinity of Christ is the witness of his own spirit—not miracles for only spirit recognizes spirit. The miracles may lead the way to his resurrection. A miracle implies that the natural course of things is interrupted but it is very much a question of relation what we call the natural course of the phenomena of the magnet might under cover of this definitely be checked and miraculous. No does the miracle of the divine man of Christ prove anything for. So rates likewise introduced a new self-consciousness on the part of spirit himself on the traditionalism of men's concept of the question is this divine mission but the revelation made in Christ and the purport of his mission Christ himself blames the Pharisees for despising miracles of him, and speaks of false prophets who will perform miracles.

We have next to consider how the Christian view rests in the formation of the Church. The purpose of this ratio of its development from the idea of Christianity would lead us too far and we have here to indicate only the general phases which this process assumed. The first phase is the foundation of the Christian religion in his principles is expressed with unreserved energy but in the first instance basically. This we find in the Gospel where the ministry of spirit elevates into the spiritual world, is the theme. What transcends the boldness does Christ stand forth among the Jewish people. Blessed be the prophet of the day. God, he proclaims in the Sermon on the Mount—the dignity of the blessed simplicity and progress with an elastic energy of boundless growth and development applies with his hands burning so that he is dead. The pure heart is the divine which God present to man he who made the world of this prophetic ground is made manifest in his hands and surmounts. The third rank of the same tenor. Blessed the peacemaker

ers for they shall be called the children of God and Blessed are they which are persecuted for righteousness sake for theirs is the kingdom of heaven and, Be ye perfect even as your Father which is in heaven is perfect. Christ enforces here a completely unmistakable requirement. The infinite exaltation of spirit to absolute purity is placed at the beginning of the foundation of all. The form of the instrumental it by which this result is to be accomplished is not yet given but the result itself is the subject of an absolute command. As regards the relation of this standpoint of spirit to secular existence we find that spiritual purity precedes the substantial basis. Seek ye first the kingdom

of two different things such are not to be considered or deduced from for they are nothing as compared with the glory. Further on this doctrine is the natural consequence of its appearing in an absolute decision. If

wouldly gain it is said. Can we not for your life what ye shall eat and drink, nor for your body what ye shall put on? Is not the life more than meat and the body more than raiment? Behold the fowls of the air: for they sow not, neither do they reap, nor gather into barns; yet your heavenly Father feedeth them. Are ye not much better than they? Labour for substance, thus repaid. Wilt thou be perfect? go and sell what thou hast and give it to the poor, and thou shalt have treasure in heaven, and come follow me. This precept directly complies with a social revolution in taking place the poor would become the rich. Of such is the kingdom of God, says the discourse of Christ that it leads to a democratic bond unimportant a compared with it. Thy youth which wish to delay the day of discipleship till he has buried his father. Christ says. Let the dead bury the dead—follow thou me. He that loveth his father or mother more than me is not worthy of me. He said. What is my mother? and who are my brethren? and standeth by his hand unto him

The word in the text occurs R. man 8 3 b 1 th import 1 M. thew 5 13 by the same.

disciples and said 'Behold my mother and my brethren! For he that doeth the will of my Father in heaven the same is my brother and sister and mother. Yes it is even said *Think not that I am come to send peace on the earth I am not come to send peace but the sword For I am come to set a man against his father and the daughter against her mother and the mother in law against her daughter in law*. Here then is an abstraction from all that belongs to reality even from moral ties. We may say that nowhere are to be found such revolutionary utterances as in the Gospels for everything that had been respected is treated as a matter of indifference—as worthy of no regard.

The next point is the development of this

society—a church. It has been already remarked that only after the death of Christ could the spirit come upon his friends—that only then were they able to conceive the true idea of God—that in Christ man is redeemed and reconciled for in him the idea of eternal truth is recognized the essence of man acknowledged to be spirit and the fact proclaimed that only by stripping himself of his finiteness and surrendering himself to pure self-consciousness does he attain the truth. Christ—man as man—in whom the unity of God and man has appeared has in his death and his history generally himself presented the eternal history of spirit—a history which every man has to accomplish in himself in order to exist as spirit or to become a child of God a citizen of his kingdom. The followers of Christ who combine on this principle and live in the spiritual life as their aim form the Church which is the Kingdom of God. Where two or three are gathered together in my name (see in the character of partakers in my being) says Christ there am I in the midst of them. The church is a real present life in the spirit of Christ.

found its relation to the Roman world and secondly to the truth whose development was its aim. We will pursue these different relations separately.

The Christian community found itself in the Roman world and in this world the extension of

the Christian religion was to take place. That community must therefore keep itself removed from all activity in the state constitute itself a separate company and not react again to the decrees views and transactions of the state. But as it was secluded from the state and consequently did not hold the emperor for its absolute sovereign it was the object of persecution and hate. Then was manifested that infinite inward liberty which it enjoyed in the great steadfastness with which sufferings and sorrows were patiently borne for the sake of the highest truth. It was less the miracles of the Apostles that gave to Christianity its outward extension and inward strength than the substance the truth of the doctrine itself. Christ himself says:

Many will say to me at that day Lord Lord! have we not prophesied in thy name have we not cast out devils in thy name have we not in thy name done many wonderful deeds? Then will I profess unto them I never knew you depart from me all ye workers of iniquity.

As regards its other relation—that to the truth—it is especially important to remark that the dogma—the theoretical—was already matured within the Roman world while we find the development of the state from that principle a much later growth. The Fathers of the Church and the councils constituted the dogma but a chief element in this constitution was supplied by the previous development of philosophy. Let us examine more closely how the philosophy of the time stood related to religion. It has already

as the One Infinite. The universal state here only as an unimportant predicate—not itself a subject but requiring a concrete particular application to make it such. But the one and universal the illimitable conceived by fancy is essentially Oriental for measureless conceptions carrying all limited existence beyond its proper bound are indigenous to the east. Presented in the domain of thought itself the Oriental One is the invisible and non-ensouled God of the Israelitish people but whom they also make an object of conception as a person. This principle became world-historical with Christianity.

In the Roman world the union of the east and west had taken place in the first instance

by means of conquest it took place in the world psychologically also—the spirit of the East were dying on the west. The worship of Isis and that of Mithra had been extended through the whole Roman world prior to it in the onward and in limited aims yearned after infinity. But the west desired deeper pure inward universality—an infiniteness at the same time of positive qualities. Again it was in Egypt—in Alexandria in the third century of communion between the east and the west—the last problem of the age was proposed for thought and the solution now found was present. There the two principles came into scientific contact, and we are scientifically worked out. It is a special remark to be observed there learned Jews such as Philo connecting abstract forms of the concrete which they derived from Plato and Aristotle with their conception of the infinite and recognizing God according to the measure of concrete ideas of spirit, under the definition of the *Logos*. So also did the profound thinkers of Alexandria comprehend the unity of the Platonic and Aristotelian philosophy and the speculative thinking trained those abstract ideas which like with the fundamental purport of the Christian religion. The application by way of postulate to the pagan religion of ideas recognized as true was a direction which philosophy had already taken among the heathen. Plato had already there repudiated the current mythology and, with his followers was cured of illusion. The Alexandrians of the third century strove to demonstrate speculative truth in the Greek concepts of the gods and the Emperor Julian in his *Apology to the Resurrection of the Gods*, asserting that the pagan ceremonies had a strict connection with rationality. The heathen felt as it were obliged to give their deities the semblance of something higher than sensuous concepts; they thus felt tempted to spiritualize them. Thus much is so certain, that the Greek religion contains a free case of the synthesis of spirit and reason and its product must be something rational. It makes difference however whether reason is explicitly developed in religion or merely dumbrated by the constitutional tendency of the deities. And while the Greeks thus put outward their sense of divinity in the Christian also on their side sought for profounder and the historical part of the religion. Just as Philo found deeper import shadowed forth in the Mosaic record and idealized what he considered the basis of the narrative. The Christians treat their records—partly

with a polemic view but still more largely from free and spontaneous interest in the process. But the instrumentality of philosophy in introducing these dogmas to the Christian religion is so sufficient ground for asserting that they were self-reigning Christianity and had nothing to do with it. It is a matter of perfect indifference whether a thing originated the only question is: Is it true in and for itself? Man think that it is to be Neo-Platonic

Church that recognized and established the doctrine

Nicene Council (A.D. 325) was ultimately established a fixed confession of faith to which we still adhere. This confession had not indeed a speculative form but the profoundly peculiar to it is in its intimate relation with the manifestation of Christ himself. Even in John (*ὁ λόγος ἦν ὁ λόγος ἦν ὁ λόγος*) we see the eternal being of a profound comprehension. The profoundest thought is connected with the personality of Christ with the historical and eternal and it is the very ground of the Christian religion that with all its profundity it is a profound comprehension by our consciousness in its outward respect while at the same time it summons us to participate deeply. It is thus adapted to every grade of culture and yet satisfies the highest requirements.

Having looked of the relation of the Christian community to the Roman world in the third and to the truth attained in its doctrines, the other side we come to the third point in which both doctrine and the external world are concerned, the Church. The Christian community is the kingdom of Christ—it infinitely expresses its principle being Christ for this kingdom has an eternal existence in a merely finite one. This spiritual quality before the alphanumerical existence of that of the materialized with heathenism but with universal extension

In the Latin tradition by the Holy Catholic Church, in the substance of the Holy Catholic Church, in the creed.

generally For the Church as presenting this outward existence is not merely a religion as opposed to another religion but is at the same time a particular form of secular existence occupying a place side by side with other secular existence The religious existence of the Church is governed by Christ the secular side of its government is left to the free choice of the members themselves Into this kingdom of God an organization must be introduced In the first instance all the members know themselves filled with the spirit the whole community perceives the truth and gives expression to it yet together with this common participation of spiritual influence arises the necessity of a presidency of guidance and teaching—a body distinct from the community at large Those are chosen as presidents who are distinguished for talents character fervor of piety a holy life learning and culture generally The presidents—those who have a superior acquaintance with that substantial life of which all are partakers and who are instructors in that life those who establish what is truth and those who dispense its enjoyment—are distinguished from the community at large as persons endowed with knowledge and governing power are from the governed To the intelligent presiding body the spirit comes in a fully revealed and *explicit* form in the mass of the community that spirit is only *implicit* While therefore in the presiding body the spirit exists as self appreciating and self cognizant it becomes an authority in spiritual as well as in secular matters—an authority for the truth and for the relation of each individual to the truth determining how he should conduct himself so as to act in accordance with the truth This distinction occasions the rise of an *ecclesiastical kingdom* in the kingdom of God Such a distinction is inevitable but the existence of an authoritative government for the spiritual when closely examined shows that human subjectivity in its proper form has not yet developed itself In the heart indeed the evil will is surrendered but the will as human is not yet interpenetrated by the divine

That spiritual kingdom has therefore a moral shape of its own

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eu we find the Christian community assuming also a definite external position and becoming the possessor of property of its own As property belonging to the spiritual world it is presumed to enjoy special protection and the immediate inference from this is that the Church has no dues to pay to the state and that ecclesiastical persons are not amenable to the jurisdiction of the secular courts This entails the government by the Church itself of ecclesiastical property and ecclesiastical persons Thus there originates with the Church the contrasted spectacle of a body consisting only of private persons

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soon changes this democracy into aristocracy though the further development of the Church does not belong to the period now under consideration but must be referred to the world of a later date

It was then through the Christian religion that the absolute idea of God in its true conception attained consciousness Here man too finds himself comprehended in his true nature given in the specific conception of the Son Man finite when regarded for himself is yet at the same time the image of God and a fountain of infinity in himself He is the object of his own existence—has in himself an infinite value an eternal destiny Consequently he has his own religious self consciousness But in order to enter the sphere and display the active vitality of that religious life humanity must become

which are the necessary corollary to the consideration that man is absolute self consciousness—his spiritual nature being the starting point and presupposition These conditions are themselves not yet of a concrete order but simply the first abstract principles which are won by the instrumentalities of the Christian religion for the secular state First under Christianity slavery is impossible for man is man in the abstract essence of his nature is contemplated in God each unit of

ence with its rays Subjective freedom has not yet attained validity as such in light does not yet rest on a basis of its own but is content to inhere in the spirit of an extrinsic authority

mankind is an object of the grace of God and of the divine purpose. God will have all men to be saved. Litteral exclusion of all speciality before man and for himself in his simple quality of man has infinite value and this in its values abolishes *pro facto* all particular

attaching to birth or country. The other the second principle regards the subjectivity of man in bearing of the fortuitous—on chance. Humanity has this sphere of free spirituality in itself and everything else must proceed from it. The place appropriated to the abode and presence of the divine spirit, the sphere in question, is spiritual subjectivity and science. It follows thence that what we observed among the Greeks as a form of civil and every morality cannot maintain its position in the Christian world. For this morality is spontaneous and unsolicited while the Christian principle independent subjectivity—the soul on which grows the true. Now an unsolicited man cannot continue to hold its ground against the principle of subjectivity freedom. Greek freedom was that of hap and genius. It was still dominated by laws and rules but now the principle of absolute freedom in God makes its position. Man now no longer sustains the relation of dependence but of love—in this newness that he is a partaker in the divine existence. In each particular man now forms his own determinations and recognizes himself as ple potentia in regard to himself and existence. All that special retreats into the background before that principle of subjectivity which takes a secondary position only in presence of the divine spirit. The supersession of race and usages is thereby entirely abrogated. Man is recognized as the absolute subjectivity in crises of decision.

It is this twofold principle just stated that attains to spirit in this self-contained phase. The spirit of man develops in the hand, to train the citizen of religious life to bring himself into harmony with the spirit of God. On the other hand, this is the purpose of part so determining civil laws, and its destiny is the theme of Christian history. The danger which partly effaces must of course be led in the recesses of the heart but must become an actual present world, complying with the conditions prescribed by that absolute spirit. Partly of heart does not partake in the ultimate of the subjectivity will in its external relations to that partly. On the contrary we see all passions increasingly ram-

bling to be solved is the sphere the sphere of unreflected spiritual existence with the sphere. A general observation here su-

the world but on its own terms. It is to be only a distant reality. In general is the position of spirit divine as well as human. The distinction between religion and the human as such is reason.

history is nothing but manifestation of a human reason—the production of the glorious principle which dwells in the heart of man, under the form of secular freedom. Thus the dis-

peoples to the German. In ancient Rome it self Christianity cannot find a ground on which it may become a usual and develop an empire.

Chapter 3. The Byzantine Empire

With Constantine the Great the Christian religion decided the fate of the empire. He was followed by a succession of Christian emperors interrupted only by Julian—who however did but little for the prostrate ancient faith. The Roman Empire embraced the whole civilized earth from the western ocean to the Tigris—from the tenor of Africa to the Danube (Pannonia Dacia). Christianity soon spread throughout the length and breadth of this enormous realm. Roman history ceased to be the exclusive record of the emperors. The city of Constantinople decayed and died in Milan. Other places and he himself established a court in the ancient Byzantium which received the name of Constantinople. From the first its population consisted chiefly of Christians and Constantinople was every application to the emperor.

generally For the Church as presenting this outward existence is not merely a *religion* as opposed to another religion but is at the same time a particular form of secular existence occupying a place side by side with other secular existence The religious existence of the Church is governed by Christ the secular side of its government is left to the free choice of the members themselves Into this kingdom of God an organization must be introduced In the first instance all the members know themselves filled with the spirit the whole community perceives the truth and gives expression to it yet together with this common participation of spiritual influence arises the necessity of a presidency of guidance and teaching—a body distinct from the community at large Those are chosen as presidents who are distinguished for talents character fervor of piety a holy life learning and culture generally The presidents—those who have a superior acquaintance with that substantial life of which all are partakers and who are instructors in that life those who establish what is truth and those who dispense its enjoyment—are distinguished from the community at large as persons endowed with knowledge and governing power are from the governed To the intelligent presiding body the spirit comes in a fully revealed and *explicit* form in the mass of the community that spirit is only *implicit* While therefore in the presiding body the spirit exists as self appreciating and self cognizant it becomes an authority in spiritual as well as in secular matters—an authority for the truth and for the relation of each individual to the truth determinin how he should conduct himself so as to act in accordance with the truth This distinction occasions the rise of an *ecclesiastical kingdom* in the kingdom of God Such a distinction is inevitable but the existence of an authoritative government for the spiritual when closely examined shows that human subjectivity in its proper form has not yet developed itself In the heart indeed the evil will is surrendered but the will as human is not yet interpenetrated by the deity the human will is

dom Up to this point finite freedom has been only annulled to make way for infinite freedom The latter has not yet penetrated secular existence with its rays Subjective freedom has not yet attained validity as such in right does not yet rest on a basis of its own but is content to inhere in the spirit of an extrinsic authority

That *spiritual* kingdom has therefore assumed the shape of an *ecclesiastical* one as the relation of the substantial being and essence of spirit to human freedom Besides the interior organization already mentioned we find the Christian community assuming also a definite external position and becoming the possessor of property of its own As property belonging to the spiritual world it is presumed to enjoy special protection and the immediate inference from this is that the Church has no dues to pay to the state and that ecclesiastical persons are not amenable to the jurisdiction of the secular courts This entails the government by the Church itself of ecclesiastical property and ecclesiastical persons Thus there originates with the Church the contrasted spectacle of a body consisting only of private persons and the power of the emperor on the secular side on the other side the perfect democracy of the spiritual community choosing its own president Priestly consecration however soon changes this democracy into aristocracy though the further development of the Church does not belong to the period now under consideration but must be referred to the world of a later date

It was then through the Christian religion that the absolute idea of God in its true conception attained consciousness Here man too finds himself comprehended in his true nature given in the specific conception of the Son Man finite when regarded *for himself* is yet at the same time the image of God and a fountain of infinity *in himself* He is the object of his own existence—has in himself an infinite value an eternal destiny Consequently he has his true home in a supersensuous world—an infinite subjectivity gained only by a rupture with mere natural existence and volition and by his labour to break their power within him This is religious self consciousness But in order to enter the sphere and display the active vitality of that religious life humanity must become capable of it This capability is the $\delta\alpha\lambda\varsigma$ for that $\nu\epsilon\pi\epsilon\iota$ What therefore remains to be considered is those conditions of humanity which are the necessary corollary to the consideration that man is absolute self consciousness—his spiritual nature being the starting point and presupposition These conditions are themselves not yet of a concrete order but simply the first *abstract principles* which are won by the instrumentality of the Christian religion for the *secular state* First under Christianity slavery is impossible for man is man in the abstract essence of his nature is contemplated in God each unit of

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To all these religious contents was added the
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e in th p rties of the blue a d green colour which
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s gn of the most fea ful d gradation as pro t g
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is lost and that the delirium of religious pas
s n is quite con ste t with an appeti e fo
gross nd ba rous spectacles.

The chief po is in the Chri tian religion were
at la t by degrees established by the councl
The Christians of the Byzantine Empire re
mained sunk in th dream f superstition—p
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the priesthood. Image worship to which w l
lud d abo e occa o ed the mo t violent tru
gles and storm The bra e Emperor Leo th
Isaurian in particular persecuted images w th
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image w rship was d cla ed by c uncil t be
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this new abode equal in splendour to the old. The empire still remained in its integrity till Theodosius the Great made permanent a separation that had been only occasional and divided it bet

the world. Under him the pagan temples were shut, the sacrifices and ceremonies abolished, and paganism itself forbidden, gradually however it entirely vanished of itself. The heathen orators of the time cannot sufficiently express their wonder and astonishment at the monstrous contrast between the days of their forefathers and their own.

Our temples have become tombs. The places which were formerly adorned with the holy statues of the gods are now covered with sacred bones [relics of the martyrs], men who have suffered a shameful death for their crimes, whose bodies are covered with stripes and whose heads have been embalmed are the object of veneration. All that was contemned is exalted, all that was formerly revered is trodden in the dust. The last of the pagans express this enormous contrast with profound lamentation.

The Roman Empire was divided between the two sons of Theodosius. The elder Arcadius received the Eastern Empire—ancient Greece with Thrace, Asia Minor, Syria, Egypt; the younger Honorius the Western—Italy, Africa, Spain, Gaul, Britain. Immediately after the death of Theodosius confusion entered and the Roman provinces were overwhelmed by alien peoples. Already under the Emperor Valens the Visigoths pressed by the Huns had solicited a domicile on the hither side of the Danube. This was granted them on the condition that they should defend the border provinces of the empire. But maltreatment roused them to revolt. Valens was beaten and fell on the field. The later emperors paid court to the leader of these Goths, Alaric, the bold Gothic chief turned his arms against Italy. Stilicho, the general and minister of Honorius, stayed his course A.D. 403 by the battle of Pollentia; as at a later date he also routed Radagaisus, leader of the Alani, Suevi, and others. Alaric now attacked Gaul and Spain and on the fall of Stilicho returned to Italy. Rome was stormed and plundered by him A.D. 410. Afterwards Attila advanced on it with the terrible might of the Huns—one of those purely Oriental phenomena which like a mere storm-torrent rise to a furious height and bear down everything in their course, but in a brief space are so completely spent that nothing is seen of

them but the traces they have left; then

Attila near Chalons on the Marne. Victory remained doubtful. Attila subsequently marched upon Italy and died in the year 453.

Attila's empire perished. The Eastern Empire perished because a farce and their empty title was abolished by Odoacer, king of the Heruli.

The Eastern Empire long survived and in the west a new Christian population was formed from the invading barbarian hordes. Christianity had at first kept aloof from the state and the development which it experienced related to doctrine, internal organization, discipline, etc. But now it had become dominant, it was now a political power, a political motive. We now see Christianity under two forms: on the one side barbarian nations whose culture was yet to be given, who have to acquire the very rudiments of science, law, and polity; on the other side civilized peoples in possession of Greek science and a highly refined oriental culture. Municipal legislation among them was complete—having reached the highest perfection through the labors of the great Roman jurists, so that the *corpus juris* compiled at the instance of the Emperor Justinian still excites the admiration of the world. Here the Christian religion is placed in the midst of a developed civilization which did not proceed from it. There on the contrary the process of culture has its very first step still to take, and that within the sphere of Christianity.

These two empires therefore present a most remarkable contrast in which we have before our eyes a grand example of the necessity of a people's having its culture developed in the spirit of the Christian religion. The history of the highly civilized Eastern Empire—where as we might suppose the spirit of Christianity could be taken up in its truth and purity—exhibits to us a millennial series of uninterrupted crimes, weaknesses, basenesses, and want of principle—a most repulsive and consequently a most

unhealthy spirituality. It may even be entirely separated from the world as e.g. in Monasticism—which originated in Egypt. It is a common notion and saying in reference to the power of religion abstractly considered over the hearts of men, that if Christian love were universal

FOURTH PART

THE GERMAN WORLD

The German spirit is the spirit of the new world. Its aim is the realization of absolute truth as the unlimited self-determination of freedom—the freedom which has its own absolute form. It is as its proper. The destiny of the German people is to be the bearers of the Christian principle. The principle of spiritual freedom—of reconciliation, was introduced into the still simple unfixed minds of those peoples and the priest assigned them in the service of the world spirit with the task of merely possessing the idea of freedom as the substratum of their religious conception, but of producing it in fact and putting it into development from the subject's self-consciousness.

In entering on the task of guiding the German world into its natural period, we must remark that we have not as was the case in the task of the Greeks and Romans a double external task—both looks towards an earlier world, historical people and forwards to a later one—to guide history show that the process of development among the people is under consideration. It was altogether different. The Greek and Romans had a clear duty within their direct duties—each goes outwards. The Ger-

ing these to bear upon their own. In the Crusades indeed, and in the discovery of America the western world directed its energies out-

tion to an external principle, he only accomplishes the history does not bring with it essential changes in the nature of those conditions which characterize the peoples in question but rather reveals the aspect of internal evolution.

The relation to other countries and periods is therefore entirely different from that sustained by the Greeks and Romans. For the Christian world is the world of completion, the grand principle of being is realized, consequently the end of days is fully come. The idea cannot cover in Christianity no point in the aspirations of spirit that is not satisfied. For its individual members the church is true preparation for an eternal state as something future, since the units who compose it in the isolated and several capacity occupy a position of particularity but the church has also the spirit of God actually present; it therefore forgives the sinner and is a present kingdom of heaven. Thus the Christian world has absolute existence outside its sphere but only relative one which is already implicitly required and in respect to which it continually concerns itself in the present through the conquest has taken place. Hence it follows that an external effect is created to be characteristic of the development of the epochs of the modern world. We have therefore to look for another principle of development.

The German world took up the Roman culture and religion in the completed form. The e-

process of culture they derived consisted in taking up foreign elements and directly amalgamating them with their own national life. Thus their history presents an intrinsic so the attraction of alien form of life and the bring-

The The supreme law of the rise and fall of the states of the world is the law of the development of the human race. The human race is the only being which has the power of self-determination. The human race is the only being which has the power of self-determination. The human race is the only being which has the power of self-determination.

The influence of the Crusades and the discovery of America only affects the phase of the history was thereby modified. The trend in

the growth of all that is noble in thoughts deeds and persons Rebellion on the part of generals depositions of the emperors by their means or through the intrigues of the courtiers as assassination or poisoning of the emperors by their own wives and sons women surrendering themselves

to lusts and abominations of all kinds—such are the scenes which history heretofore has exhibited till at last a new history of the Eastern Empire commenced in pieces before the might of the vigorous Turks

From that epoch thou ht b gan to ga a cul
t re p op rly ts own pr n ples we e deri ed
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Pericles is wa ti g in this epoch C d t
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The authority of r tual m i a knowledged
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Section I

THE ELEMENTS OF THE
CHRISTIAN GERM IN WORLD

Chapter 1 The Ba barian Migrati ns

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adversus Deos The Christian religion which they adopted had received from council and Fathers of the Church who pos es a

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system

a completely de
veloped hierarchy To the native tongue of the
Germans the Church likewise opposed one per
fectly developed—the Latin In art and philoso
phy a similar alien influence predominated
What of Alexandrian and of formal Aristotelian
philosophy was still preserved in the writings of
Boethius and elsewhere became the fixed basis
of speculative thought in the west for many
centuries The same principle holds in regard to
the form of the secular sovereignty Gothic and
other chiefs gave themselves the name of Ro
man patricians and at a later date the Roman
Empire was restored Thus the German world
appears superficially to be only a continuation
of the Roman But there lived in it an entirely
new spirit through which the world was to be
regenerated the free spirit which reposes
on itself the absolute self determination of
subjectivity To this self involved subjectivity
the corresponding objectivity stands oppo ed
as absolutely alien The distinction and antith
esis which is evolved from these principles is
that of *church and state* On the one side the
church develops itself as the embodiment of
absolute truth for it is the consciousness of
this truth and at the same time the agency for
rendering the individual harmonious with it On
the other side stands secular consciousness
which with its aims occupies the world of limi
tation—the *state* based on heart or mutual con
fidence and subjectivity generally European
history is the exhibition of the growth of each
of these principles severally in church and
state then of an antithesis on the part of both
—not only of the one to the other but appear
ing within the sphere of each of these bodies
themselves (since each of them is itself a total
ity) lastly of the harmonizing of the anti
thesis

The *three periods* of this world will have to
be treated accordingly

The *first* begins with the appearance of the
German nations in the Roman Empire—the in
cipient development of these peoples converts
to Christianity and now established in the pos
session of the west Their barbarous and simple
character prevents this initial period from pos
sessing any great interest The Christian world
then presents itself as Christendom—one
mass in which the spiritual and the secular form

only different aspects This epoch extends to
Charlemagne

The *second period* develops the two sides of
the antithesis to a logically consequential in
pendence and opposition—the Church for itself
as a *theocracy* and the state for itself as a *feu
dal monarchy* Charlemagne had formed an al
liance with the Holy See against the Lombard
and the factions of the nobles in Rome A union
thus arose between the spiritual and the secular
power and a kingdom of heaven on earth prom
ised to follow in the wake of this conciliation
But just at this time instead of a spiritual king
dom of heaven the inwardness of the Christian
principle wears the appearance of being alto
gether directed outwards and leaving its proper
sphere Christian freedom is perverted to a
very opposite both in a religious and secular
respect on the one hand to the everest bond
age on the other hand to the most immoral
excess—a barbarous intensity of every passion
In this period two aspects of society are to be
pecially noticed the first is the formation of
states—superior and inferior suzer

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universality This regulated
subordination appears in the *feudal system*
The second aspect presents the antithesis of
Church and state This antithesis exists solely
because the Church to whose management the
spiritual was committed it self sinks down into
every kind of worldliness—a worldliness which
appears only the more detestable because all
passions assume the sanction of religion

The time of Charles V's reign is the first
half of the sixteenth century forms the end of
the second and likewise the beginning of the
third period Secularity appears now as gaining
a consciousness of its intrinsic worth—becomes
aware of its having a value of its own in the
morality rectitude probity and activity of man
The consciousness of independent validity is
aroused through the restoration of Christian
freedom The Christian principle has now passed
through the terrible discipline of culture and
it first attains truth and reality through the Ref
ormation This third period of h C ~ 2

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the districts of the Maine four leading tribes—
The Germans

of the soul—a general sense of enjoyment. Will
in the case of such an idiosyncrasy is exclusively
— I will — is purely subjective freedom ex

enterprises almost all parts. The people
part of them went to Russia and the others became
the founders of the Russian Empire part set
tled in northern France and Britain no other
established principalities. It is only a
Scandinavian. Thus a part of the Scandinavians founded
states in foreign lands and their maintained its
nationality by their ancestral hearth.

It is not that it does not become a

appear the Bulgarians, Servians and Albanians
like the Asians origin—left behind. The
Balkan remains the shock of the under
shocks of the dancing. These people
did indeed find themselves and sustained
conflict. The various nations that came
across the path. Sometimes as a danger
guard, a intermediate nationality they took
part in the struggle between Christian Europe
and unchristian Asia. The Poles even libe-
rated Vienna from the Turks and the
Lithuanians to some extent withdrawn from the
sphere of Occident. In the nineteenth century
the peoples mainly excluded from consideration
to because their position as a
independence. The entire philosophy of
reason has summed up the world. Whether it will
do so hereafter is questionable. It does not
concern us here for in history we have to do with
the past.

The German nation was characterized by the
sense of nationality—an idiosyncrasy which
may call for history. The individual
and individuality of spirit in feeling to
the individual heart of the individual. It is
responsibly general and individual. The
way character is particularly from the will. It
meets asserting itself but the quality of
it has no particular aim—reaches the whole
like in itself does not concern itself with any
particular condition but with the entire condition.

The German has exact correspondence
term. English used the synonymous
Herr and he opens to a common and
impressions which implies may perhaps be
made rendered by "heart." Yet as the
above.

itself it wears on the whole the appearance
"well meaning." Character is its direct opposite.
This is the abstract principle innate in the
German people and that subjectivity of which
they possess to the object in Christianity.
Heart has no particular object in Christian-
ity we have the absolute object—all that can
engage and occupy human subjectivity. Now it
is the desire of satisfaction without further
definition or restriction that is involved in
heart and it is exactly that for which we
found an appropriate application in the princi-
ple of Christianity. The indefinite as substance
in objectivity is the purely universal—God
while the recept of the individual will to a
participation. Here follows the complementary
element in the Christian concept of unity. The ab-
solutely universal that which contains in it all
determinations and in virtue of this is itself in-
determinate. Subject is the absolutely determi-
nate and these two are identical. This was

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ty ex cl d e s i l l t h a i s m f e s l y b j e c t i l l t h a t i s

immense amount of misfortune and sorrow of which the savage knows nothing but this is a merely negative advantage while freedom is essential positive It is only the blessings conferred by affirmative freedom that are regarded as such in the highest grade of consciousness

Our first acquaintance with the Germans finds each individual enjoying an independent freedom and yet there is a certain community of feeling and interest though not yet matured to a political condition Next we see them inundating the Roman Empire It was partly the fertility of its domains partly the necessity of seeking other habitations that furnished the inciting cause In spite of the wars in which they engage with the Romans individuals and even entire clans enter their service as soldiers Even so early as the battle of Pharsalia we find German cavalry united with the Roman forces of Cæsar In military service and intercourse with civilized

those of mental cultivation In the later emigrations many nations—some entirely others partly—remained behind in their original abodes

Accordingly a distinction must be made between the German nations who remained in their ancient habitations and those who spread themselves over the Roman Empire and mingled with the conquered peoples Since in their migratory expeditions the Germans attached themselves to their leaders of their own free choice we find a peculiar duplicate condition of the great Teutonic families (Eastern and Western Goths Goths in all parts of the world and in their original country Scandinavians and Normans in Norway but also appearing as knightly adventurers in the wide world) However different might be the fates of these peoples they nevertheless had one aim in common—to procure themselves possessions and to develop themselves in the direction of political organization This process of growth is equally characteristic of all In the west in Spain and Portugal the Suevi and Vandals are the first settlers but are subdued and dispossessed by the Visigoths A great Visigothic kingdom was

in Spain Portugal and a part

second king

which from

the end of the second century was given in common to the Istævonian races between the Rhine and the Weser They established themselves between the Moselle and the Scheldt and under their leader Clovis pressed forward into

Gaul as far as the Loire He afterwards reduced the Franks on the lower Rhine and the Alemanni on the upper Rhine his sons subjugated the Thuringians and Burgundians The third kingdom is that of the Ostrogoths in Italy founded by Theodoric and highly flourishing beneath his rule The learned Romans Cassiodorus and Boethius filled the highest offices of state under Theodoric But this Ostrogothic kingdom did not last long it was destroyed by the Byzantines under Belisarius and Narses In the second half (568) of the sixth century the Lombards invaded Italy and ruled for two centuries till this kingdom also was subjected to the Frank sceptre by Charlemagne At a later date the Normans also established themselves in lower Italy Our attention is next claimed by the Burgundians who were subjugated by the Franks and whose kingdom forms a kind of partition wall between France and Germany The Angles and Saxons entered Britain and reduced it under their sway Subsequently the Normans make their appearance here also

These countries previously a part of the Roman empire thus experienced the fate of subjugation by the barbarians In the first instance a great contrast presented itself between the already civilized inhabitants of those countries and the victors but this contrast terminated in the hybrid character of the new nations that were now formed The whole mental and moral existence of such states exhibits a divided aspect in their inmost being we have characteristics that point to an alien origin This distinction strikes us even on the surface in their language which is an intermixture of the ancient Roman already united with the vernacular and the German We may class these nations together as *Romanic*—comprehending thereby Italy Spain Portugal and France Contrasted with these stand three others more or less *German speaking* nations which have maintained a consistent tone of uninterrupted fidelity to native character—Germany itself Scandinavia and England The last was indeed incorporated in the Roman Empire but as affected by Roman culture little more than superficially—like Germany itself—and was again Germanized by Angles and Saxons *Germany proper* kept itself pure from any admixture only the southern and

the Rhine
The portion
remained
many was

inhabited by several tribes Besides the Riparian Franks and those established by Clovis in

exhibited above as the material content in Christianity here we find it subjectively as heart Subject must then also gain an objective form that is he expanded to an object It is necessary that for the indefinite susceptibility which we designate heart the absolute also should assume the form of an object in order that man on his part may attain a consciousness of his unity with that object But this recognition of the absolute requires the purification of man's subjectivity—requires it to become a real concrete self a sharer in general interests as a citizen of the world at large and that it should act in accordance with large and liberal aims recognize law and find satisfaction in it Thus we find here two principles corresponding the one with the other and recognize the adaptation of the German peoples to be as we stated above the bearers of the higher principle of spirit

We advance then to the consideration

German

ence

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any of heart is in its first appearance quite abstract undeveloped and destitute of any particular object for substantial aims are not involved in heart itself Where this susceptibility stands alone it appears as a want of character—mere inanity Heart as purely abstract is dulness thus we see in the original condition of the Germans a barbarian dulness mental confusion and vagueness Of the religion of the Germans we know little The Druids belonged to Gaul and

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their hearts has been already remarked and it is also evident from the fact that the Germans were easily converted to Christianity The Saxons it is true offered considerable resistance to Charlemagne but this was directed not so much against the religion he brought with him as against oppression itself Their religion had no profundity and the same may be said of their ideas of law Murder was not regarded and punished as a crime at

was expiated by a pecuniary fine This indicates a deficiency in depth of sentiment that absence of a power of abstraction and discrimination that marks their peculiar temperament a temperament which leads them to regard it only as an injury to the community when one of its members is killed and nothing further The blood revenge of the Arabs is based on the feeling that the honour of the family is injured Among the Germans the comm

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the ancient Germans were famed for their love of freedom the Romans formed a correct idea of them in this particular from the first Freedom has been the watchword in Germany down to the most recent times and even the league of princes under Frederick II had its origin in the love of liberty This element of freedom in passing

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every member of the community as such is a free man Homicide could be expiated by a pecuniary mulct because the individuality of the free man was regarded as sacred permanently and inviolably whatever he might have done The community or its presiding power with the assistance of members of the community delivered judgment in affairs of private right with a view to the protection of person and property For affairs affecting the body politic at large for wars and similar contingencies the whole community had to be consulted The second point to be observed is that social nuclei were formed by free confederation and by voluntary attachment to military leaders and princes The connection in this case was that of fidelity for fidelity is the second watchword of the Germans as freedom was the first Individuals attach themselves with free choice to an individual and without external prompting make this relation an inviolable one Thus we find neither among the Greeks nor the Romans The relation of Agamemnon and the princes who accompanied him was not that of feudal suit and service it was a free association merely for a particular purpose—a hegemony But the German confederations have their being not in a relation to a mere external major cause but in a relation to the spiritual self—the subjective in most personality Heart disposition the concrete subjectivity in its integrity which does not attach itself to any abstract bearing of an object but regards the whole of it as a condition of attachment—making itself dependent on the per

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h d ab i t be pi th Ch t w i
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Abstractness swayed the minds of the Mohammedans. Their object was to establish an abstract worship and they struggled for it at all times with the greatest enthusiasm. The enthusiasm was fanaticism that is an enthusiasm for something abstract—for an abstract thought which sustains a new position towards the established order of things. It is the essence of fanaticism to bear only a desolate

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for what is noble and exalted in various particular forms. The enthusiasm of a people for its independence has also a definite aim. But abstract

—the force of all-compelling enthusiasm—

valour *La l'ion est le terreur* was the cry in this case as with *R. Desperre la l'be et la terreur*. But real life is nevertheless concrete and introduces particular aims, concrete leads to some unity and wealth to the inferring of pre-organic, dynastic family and to a union found. But all this is only contingent and based on sand till to-day and to-morrow with it. With all the passion in earnest he has the Mohammedans really indifferent to this social

nothing abides firm. Whatever curls up into a form remains till the while transitory and in that very instant glides away. Those dynasties were destined for the blood of an organic firm

sciences attained among them. At first we see the conquerors destroy everything connected with art and science. Omar is said to have caused the destruction of the noble Alexandrian library. These books said he either contain what is in the Koran or something else in either case they are superfluous. But soon afterwards the Arabs became zealous in promoting the arts and spreading them every where. The empire reached the summit of its glory under the Caliph Al Mansur and Harun

—all parts of the

more generous, more valiant, more devoted was ever witnessed. The particular terms of the pact which the dual embraces grasped by him—only—with the whole of the world. He opens a new world of elations and forms so to speak, bundles of them—an Mohammedan in the dual is one person and that alone he is upheavally ruling, unerring, bold, or generous. While the tumult of love exists the is equal to reason—love them in the fervor. The ruler who loves the law glorifies the object of his law by laying at his feet all human laws, poems, and laws—forgetting scripture and then of him but the other hand, he will sacrifice him just a sacrifice. Thus reckless fervor shows itself also in the glowing

sciences. At first the caliphs still maintain the that implicitly and plainly which characterizes the Arab of the desert (the Caliph Abu Belr is particularly famous in this respect) and which could hardly be distinguished of nation and culture. The meanest race the most insignificant individual woman approached the caliph he equals. Uflecting as it does not stand in the culture and in return of the feed of his spirit a nation sustains a relation of equality to the ruler.

The great empire of the caliphs did not last long for in the basis presided by universality, nothing is firm. The great Arab empire fell about the same time as that of the Franks, their walls were demolished by the sword of each in the hands of the Seljuks and the Mongols—and

If these writings of the Greek were with the book of God be useless and need be preserved if they disagree they are pernicious and ought to be destroyed. —E

short while the West began to helter itself in a political edifice of chance entanglement and particularly the very opposite direction necessarily made its appearance in the world to produce the balance of the totality of spiritual manifestation. This took place in the *revolution of the East* which destroyed all particularity and dependence, and perfectly cleared up and purified the soul and disposition making the abstract One the absolute object of attention and devotion and to the same extent, pure subjective consciousness—the knowledge of this One

nature of the Oriental principle and seen that its highest being is only negative that with it the positive imports an abandonment to mere nature the enlavement of spirit to the world of realities. Only among the Jews have we observed the principle of pure unity elevated to a thought for only among them was adoration paid to the One as an object of thought. This unity then remained, when the purification of the mind to the conception of abstract spirit had been accomplished but it was freed from the particularity by which the worship of Jehovah had been hampered. Jehovah was only the God of that one people—the God of Abraham of Isaac and Jacob only with the Jews had this God made a covenant only to this people had he revealed himself. That speciality of relation was done away with in Mohammedanism. In this spiritual universality in this unlimited and indefinite purity and simplicity of conception human personality has no other aim than the realization of this universality and simplicity. *Allah* has not the affirmative limited aim of the Judaic God. The worship of the One is the only final aim of Mohammedanism and subjectivity has this worship for the sole occupation of its activity combined with the desire to subvert secular existence to the One. This One has indeed the quality of spirit yet because subjectivity offers it self to be absorbed in the object, this One is deprived of every concrete predicate so that neither does subjectivity become on its part spiritually free nor on the other hand is the object of its veneration concrete. But Mohammedanism is not the Hindu no the monastic immersion in the absolute. Subjectivity is

hammedanism worship is purely intellectual no more no representation of Allah is to be created. Mohammed is a prophet but still man—more elevated above human weaknesses. The leading features of Mohammedanism move in this, that in actual existence nothing can become fixed, but that everything is destined to expand itself in activity and life in the boundless amplification of the world, so that the worship of the One remains the only bond by which the whole is amenable of unity. In this expansion, the active energy all limits all national and caste distinctions vanish no particular race, political claim of birth or possession is regarded—only *Allah* as a *believer*. To adore the One, to believe in him, to fight—to remove the sense of speciality and consequent separation from the infinite—free from corporeal limitation—and to give alms—that is to get rid of particular private possession—these are the essence of Mohammedan injunctions but the highest merit is to die for the faith. He who perishes for it in battle is sure of Paradise.

The Mohammedan religion originated among the Arabs. Here spirit exists in its simplest form, and the sense of the formless has its eternal abode for in their deserts nothing can be brought into a firm consistent shape. The flight of Mohammed from Mecca in the year 6 began the Modern era. Even during his life and under his own leadership but especially by following up his designs after his death under the guidance of his successors the Arabs achieved their vast conquests. They first came down upon Syria and conquered its capital Damascus in the year 634. They then passed the Euphrates and Tigris and turned their arms against Persia which soon submitted to them. In the west they conquered Egypt northern Africa and Spain and passed on to southern France as far as the Loire where they were defeated by Charles Martel near Tours in 732. Thus the domination of the Arabs extended itself in the west. In the east they reduced successively Persia as already stated, Samarkand and the southwestern part of Asia Minor. The conquests as also the spread of their religion took place with extraordinary rapidity. Whoever became a convert to Islam gained a perfect equality of rights with all Muslims. Those who rejected it were during the earliest period, slaughtered but frequently however the Arabs behaved more leniently to the conquered so that if they were unwilling to go over to Islam they were only required to pay an annual poll tax. The towns that immediately submitted, were obliged to pay

pure adoration of the One. The object of Mo-

new kingdoms founded, new dynasties raised to the throne. The Osman race at last succeeded in establishing a firm dominion by forming for themselves a firm centre in the Julianian. Fanaticism having cooled down no moral principle remained in men's soul. In the struggle with the Saracens European valour had idealized itself to a fair and noble chivalry. Science and knowledge especially that of philosophy came from the East into the West. A noble poetry and free imagination were kindled among the Germans by the East—a fact which directed Goethe's attention to the Orient and occasioned the composition of a string of lyric pearls in his *Westöstlicher Diwan* which in warmth and felicity of fancy cannot be surpassed. But the East itself when by decrees enthusiasm had vanished sank into the grossest vice. The most hideous passion became dominant and as sensual enjoyment was sanctioned in the first form which Mohammedan doctrine assumed and was exhibited as a reward of the faithful in Paradise, it took the place of fanaticism. At present, driven back into its Asiatic and African quarters, and tolerated only in one corner of Europe through the jealousy of Christian powers, Islam has long vanished from the face of history at large and has retreated into Oriental ease and repose.

Chapter 3. *The Empire of Charlemagne*

The empire of the Franks, as already stated, was founded by Clovis. After his death, it was divided among his sons. Subsequently after many struggles and the employment of treachery, assassination and violence, it was again united, and once more divided. Internally the power of the king was very much increased, by their having become princes in conquered land. These were indeed parcelled out among the Frank freemen but very considerable permanent revenues accrued to the king together with what had belonged to the emperor and the spoil of conquest. These therefore the king bestowed as personal property not heritable, hereditary only to warriors who in return then entered into a personal obligation to him, became his vassals, and formed his feudal army. The very powerful bishops were united with them in constituting the king's council which however did not circumscribe the royal authority. At the head of the feudal army was the *major domus*. These *maiores domus* soon assumed the entire power and threw the royal authority into the shade while the king sank into a torpid condition and became mere puppet. From the

former sprang the dynasty of the Carolingians. Pepin le Bref the son of Charles Martel was in the year 752 raised to the dignity of King of the Franks. Pope Zachary released the Frank from their oath of allegiance to the still living Childeric III—the last of the Merovingians—who received the tonsure, &c. became a monk, and was thus deprived of the royal dignity. The last of the Merovingians were utter weaklings who could end them selves with the name of royalty and gave themselves up almost entirely to luxury—a phenomenon hardly quite common in the dynasties of the East and also met with again among the last of the Carolingians. The *mayors of the palace* contrived were in the very outset of ascending to thrones and were in close alliance with the feudal nobles that it became easy for them ultimately to secure the throne.

The Popes were most severely pressed by the Lombard kings and sought protection from the Franks. Out of gratitude Pepin undertook to defend Stephen II. He led an army twice across the Alps and twice defeated the Lombards. His victories gave splendour to his new establishment, throne, and entailed a considerable hereditary title on the Chair of St. Peter. In A.D. 800 the son of Pepin—Charlemagne—was crowned Emperor by the Pope and hence continued the name of emperor of the Carolingians with the Papal See. For the Roman Empire continued to enjoy among the barbarians the prestige of a great power and was ever regarded by them as the centre from which civil dignities, religion, law and all branches of knowledge emanated. With this character they cheerfully bowed to them. Charlemagne after he had delivered Europe from Saracen domination was himself subjected to criticism and with the title of *Patriarch* by the people and senate of Rome but Charlemagne was crowned Emperor and that by the Pope himself.

There were now therefore two empires and in them the Christian confession was equally divided into two churches, the Greek and the Roman. The Roman Emperor was the born defender of the Roman Church and the position of the Emperor towards the Pope seemed to declare that the Frank overlord was only a continuation of the Roman Empire.

The empire of Charlemagne had a very considerable extent. France a portion stretched from the Rhine to the Loire Aquitaine, and the Loire was in his time the farthest of the empire. The Frank Empire also included Friesland, Alemannia (southern

Germany between the Lechth Maine and the Rhine) Thuringia which extended to the Saale in Bavaria. Charlemagne likewise conquered the Saxons who dwelt between the Rhine and the Weiser and put an end to the Lombard domination so that became matter of upper and central Italy.

This great empire Charlemagne formed into a systematically organized state and gave the Frank dominion settled institutions adapted to the strength and consistency. This must however not be understood, as if he first introduced the constitution of his empire in its entire extent, but as implying that institutions gradually in its empire were developed under his guidance and attained a more decided and instructed efficiency. The king stood at the head of the officers of the empire and the principle of hereditary monarchy was already recognized. The king was likewise master of the armed force as all the landed proprietors while the supreme judicial power was equal in his hands. The *Wittens* constitution was based on the *arriere ban*. Every freeman was bound to arm for the defence of the realm and had to provide for his support in the field for certain time. This militia (as it would now be called) was under the command of counts and margraves while the latter presided over large districts on the borders of the empire—the *Marsch*. Accordingly the general partition of the country was divided into provinces (counties) over each of which a count presided. Over them again, under the later Carolingians came dukes, who were also lords of such

Count Raribon and the like. Their office was to maintain the discipline of the army into districts thus there was a Duke of Alsacia, Lorraine, Frisia, Thuringia, Saxonia. These dukes were promoted by the Emperor. Peoples that had retained their hereditary princes (the *Freiherrn*) lost their privilege and received dukes. In the evolution this was the case with Alemannia, Thuringia, Bavaria, and Saxony. But there was also kind of land-garney for soldier use. The *Freiherrn* of the Emperor himself had the enjoyment of estates on the condition of performing military service when he commanded. And with the *Freiherrn* maintained these arrangements. Commanders were promoted by the Emperor to observe and report on the state of the empire and to maintain the judicial administration on all respect the *Freiherrn*.

Not less remarkable is the management of the *Freiherrn* of the empire. There were no direct

taxes and a few tolls on rivers and roads, of which several were formed out to the higher officers of the empire. Into the treasury flowed on the one hand judicial fines on the other hand the pecuniary satisfactions made for not serving in the army of the Emperor or *unmunns*. Those who enjoyed *beneficia* lost them on neglecting this duty. The chief revenue was derived from the crown land, of which the Emperor had a great number on which all palaces were erected. It had been long the custom for the kings to make progresses through the chief provinces and to remain for a time in each palatinate the due preparations for the main entrance of the court having been already made by marshals, chamberlains, etc.

As regards the administration of justice criminal causes and those which concern real property were tried before the communal assemblies under the presidency of a count. Those of less importance were decided by at least ten free men, an elective bench of margraves under the presidency of the Count-graves. The supreme jurisdiction belonged to the royal tribunal, over which the king presided in his palace to the *Freiherrn* of spiritual and temporal were men bound. The royal command was mentioned above gave special attention in their inquiries. Visits to the judicial administration, heard all complaints and punished injustice. A spiritual and temporal *Freiherrn* had to go through circuit four times a year.

In Charlemagne's time the ecclesiastical body had already acquired great weight. The bishops presided over great cathedral establishments with which were also connected monasteries and charitable institutions. For Charlemagne endeavoured to restore science then almost extinct by promoting the foundation of schools in the villages. Priests were believed that they were doing a good work and earning salaries by making presents to the Church in this way the more savage and barbarous monarchs sought to atone for their crimes. Priests persons in the community made their offerings in the form of bequest of their entire estate to religious houses stipulating for the enjoyment of the usufruct only for life. In the period time but it often happened that in the death of a bishop or abbot, the temporal magnates and the retainers invaded the possessions of the clergy and seized them till all was consumed. The high had not yet taken such a high rate of men made as to be able to bridge the capacity of the powerful. The clergy were obliged to appoint towards and bailiffs to manage their estates.

besides this guardians had charge of all their secular concerns led their men at arms into the field and gradually obtained from the king territorial jurisdiction when the ecclesiastics had secured the privilege of being amenable only to their own tribunals and enjoyed immunity from the authority of the royal officers of justice (the counts). This involved an important step in the change of political relations inasmuch as the ecclesiastical domains assumed more and more the aspect of independent provinces enjoying a freedom surpassing anything to which those of secular princes had yet made pretensions. Moreover the clergy contrived subsequently to free themselves from the burdens of the state and opened the churches and monasteries as asylums—that is inviolable sanctuaries for all offenders. This institution was on the one hand very beneficial as a protection in cases of violence and oppression but it was perverted on the other hand into a means of impunity for the grossest crimes. In Charlemagne's time the law could still demand from conventual authorities the surrender of offenders. The bishops were tried by a judicial bench consisting of bishops as vassals they were properly subject to the royal tribunal. Afterwards the monastic establishments sought to free themselves from episcopal jurisdiction also and thus they made themselves independent even of the Church. The bishops were chosen by the clergy and the religious communities at large but as they were also vassals of the sovereign their feudal dignity had to be conferred by him. The contingency of a contest was avoided by the obligation to choose a person approved of by the king.

The imperial tribunals were held in the palace where the Emperor resided. The sovereign himself presided in them and the magnates of the empire

assume a more independent position

Such was the state of the Frank Empire

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introduced a firm military organization and provided for the administration of justice within the empire. Yet after Charlemagne's death it proved itself utterly powerless—externally defenceless!

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constitution the most deplorable condition of things and therefore confusion in all directions. Such political edifices need for the very reason that they originate suddenly the additional strengthening afforded by negativity evolved within themselves they need reactions in every form such as manifest themselves in the following period

Section II

THE MIDDLE AGES

While the first period of the German world ends brilliantly with a mighty empire the second is commented by the reaction resulting from the antithesis occasioned by that infinite fall which rules the destinies of the Middle Ages and constitutes their life and spirit. This reaction is first that of the particular nationalities against the universal sovereignty of the Frank Empire—manifesting itself in the splitting up of that great empire. The second reaction is that of individuals against legal authority and the executive power against subordination and the military and judicial arrangements of the constitution. This produced the isolation and therefore defencelessness of individuals. The universality of the power of the state disappeared through this reaction individuals sought protection with the powerful and the latter became oppressors. Thus was gradually introduced a condition of universal dependence and this protecting relation is then systematized into the feudal system. The third reaction is that of the Church—the reaction of the spiritual element against the existing order of things. Secular extravagances of passion were repressed and kept in check by the Church but the latter was itself secularized in the process and abandoned its proper position. From that moment begins the introversion of the secular principle. These relations and reactions all go

times but as occasions of fered at military reviews in the spring at ecclesiastical councils and on court days. It was especially these court days to which the feudal nobles were invited—when the king held his court in a particular province generally on the Rhine the centre of the Frank Empire—that gave occasion to the deliberations in question. Custom required the sovereign to assemble twice a year a select body of the higher temporal and ecclesiastical functionaries but here also the king had decisive power. These conventions are therefore of a different character from the imperial diets of later times in which the nobles

to constitute the history of the Middle Ages and the culminating point of this period is the Crusades. With them arises a universal intention but one through which the states of Christendom first attain internal and external independence.

Chapter 1: The Feudal System and the Hierarchy

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 cress b e m b t d th genus of a great man
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 the emp am g bus th ee ons But s bse
 quent by se d marn e anothe o w s
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 duced to the b e necessity of purcha ing a
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 t w s ly ng on the Elbe and f om the Rh ne
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 lamatio summon g ll suby cts to r e n
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 M gyars These ba b ian people tra ersed the
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 t mo of Franc and arch d Italy Th S a
 cens pr s ed f r w d f m the s uth S c ly h d
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 firm footing n Italy m ced R me—which
 d rt d th att k by a c mposition—a d
 we e th ter o f f Pedmo t d Prove

m na fa ra the J ra the Hung ri b d
S t la d, a d the Sa ac Valaise Callin
to m d th t ga za on of the arrie b
and d ri tin jurt po tion with th sm s
bl t te fth gs we can ot fal b truck
with th ff cy fall th f f med in
st t whi ch at ch a jun t e ought to
ha shown theml sm tfect e We might

be inclined to regard the picture of

internally and externally—as a baseless figment. Yet it actually existed, the entire political system being held together only by the power, the greatness, the regal soul of this one man, not based on the spirit of the people, not having become a vital element in it. It was superficially induced—an *a priori* constitution like that which Napoleon gave to Spain, and which disappeared with the physical power that sustained it. That, on the contrary, which renders a constitution real is that it exists as objective freedom—the substantial form of volition—as duty and obligation acknowledged by the subjects themselves. But obligation was not yet recognized by the German spirit, which hitherto owed it self only as heart and subjective choice, for it there was as yet no subjectivity involving unity, but only a subjectivity conditioned by a careless, superficial self-seeking. Thus that constitution was destitute of any firm bond, it had no objective support in subjectivity, for in fact no constitution was as yet possible.

This leads us to the *second reaction*—that of individuals against the authority of law. The capacity of appreciating legal order and the common weal is altogether absent, has no vital existence in the peoples themselves. The duties of every free citizen, the authority of the judge to give judicial decisions, that of the count of a province to hold his court, and inter-

itself or in the minds of the people, and its weakness manifested itself in the fact that it was unable to give protection to its individual members. As observed above, the idea of duty was not present in the spirit of the Germans; it had to be restored. In the first instance, volition could only be arrested in its wayward career in reference to the merely external point of *possession*, and to make it feel the importance of the protection of the state, it had to be violently dislodged from its obtuseness and impelled by necessity to seek union and a social condition. Individuals were therefore obliged to consult for themselves by taking refuge with individuals and submitted to the authority of certain powerful persons, who constituted a private possession and personal sovereignty out of that authority which formerly belonged to the commonwealth. Its *officers of the state*, the counts, did not meet with obedience from those committed to their charge, and they were as little desirous of it. Only for *themselves* did they covet it. They assumed to themselves the power of the state and made the authority with which they had been intrusted as a *beneficium*, a hereditary possession. As in earlier times the king or other magnates conferred fiefs on their vassals by way of rewards, now conversely the weaker and poorer surrendered their possessions to the strong for the sake of gaining efficient protection. They committed their estates to a lord, a convent, an abbot, a bishop (*feudum oblatum*), and received them back encumbered with feudal obligations to these superiors. Instead of freemen they became vassals, feudal dependants, and their possession a *beneficium*. This is the constitution of the feudal system. *Feudum* is connected with *fides*, the fidelity implied in this case is a bond established on unjust principles, a relation that does indeed contemplate a legitimate object, but whose import is not a *whit* the less unjust, for the fidelity of vassals is not an obligation to the commonwealth, but a private one—*ipso facto* therefore subject to the sway of chance, caprice, and violence. Universal injustice, universal lawlessness is reduced to a system of dependence on and obligation to individuals, so that the mere formal idea of the matter, the mere fact of compact constitutes its sole connection with the principle of right.

Since every man had to protect himself, the martial spirit, which in point of external defence seemed to have most ignominiously vanished, was reawakened. For torpid it was roused to action partly by extreme ill usage, partly by

1. The image had vanished without leaving a trace, and the immediate consequence was the general defencelessness of individuals. The need of protection is sure to be felt in some degree in every well-organized state: each citizen knows his rights, and also knows that for the security of possession the social state is absolutely necessary. Barbarians have not yet attained this sense of need, the want of protection from others. They look upon it as a limitation of their freedom if their rights must be guaranteed them by others. Thus, therefore, the impulse toward a firm organization did not exist; men must first be placed in a defenceless condition before they were sensible of the necessity of the organization of a state. The political edifice had to be reconstructed from the very foundations. The commonwealth as then organized had no vitality or firmness at all, either in

of individuals. The whole
was directed itself was directed not
but of private interest

the law was justly mentioned, the power
was directed at those points where indi-
vidual liberty was established, and which
the sons of bishops and archbishops deserve
recognition. The bishops had been freed
from the jurisdiction of the judicial tribunals
and from the operations of the executive gen-
eral. The bishops had towards whom at
least the emperors conferred the juris-
diction which the counts had formerly exercised.
There were detached ecclesiastical domains
—ecclesiastical domains which belonged to a
superior jurisdiction of secular kind were
extremely common. Both occupied the
position of the previous positions or counts
only in a few cases where communities of free-
men were independent, though in light secure
order and safety did live with ancient
remains. With these exceptions
the free communities entirely disappeared, and
became subject to the power of the counts
and dukes. The emperor was as seigniors and
princes. The imperial power was exercised in gen-
eral terms, as soon as the great dukes
the Emperor passed the secular and feo-
dal Christian dominion but the more exacted the
count. The emperors the more limited was
in reality. France derived extra domains
valuable from the fact that it entirely repudi-
ated the bishop's jurisdiction, while in Germany
the exercise of political development was hin-
dered by that power of power. The kings and
emperors were themselves the subjects
of the prince who would indeed their subjects
the power of overmen and territorial di-
visions of the world. The whole social system
was being founded on individual over-
men might be supposed that the divi-
sion of the world would be possible through the
power of the world. Individual sovereigns to an
official recognition of the prince to accomplish the
power of power would have been required which
was not in the essence of the feudal lords
themselves determined how they were all
dependent on the general constitution of the
world. The world was by itself and not it is valid
the lower world by chance power with
trade especially of particular opposed to uni-
versally directed and thus struggles against
the fight and laws of equality of power

cal principles the allotment being the work of
the purest haphazard, is the predominant fea-
ture. It is impossible that a monarch can rise
from such a social condition through the ab-
juration of the several minor powers under the
chief of the state as such reversed the former
were gradually transformed into principles
and became united with the principle of the
chief thus enabling the authority of the king
and the state to assert itself. When therefore
the body of political union was still wanting the
several elements attained their development
independently.

In France the dynasty of Charlemagne like
that of Clovis became extinct through the
weakness of the overmen who represented it.
The dominion was finally limited to the petty

territorial possession. The absolute authority
purchase marriage and the division of fief
between the kings became possessed of manfeidal
domains and the authority was frequently in-
vested as a protection against the oppressions
of the nobles. The royal authority in France be-
came hereditary in an early date because the
feiefs were hereditary though at first the kings
took the precaution to have their sons crowned
during their lifetime. France was divided into
many overignities. The Duke of Guenre the
Earldom of Flanders the Duchy of Guenre
the Earldom of Toul the Duchy of Bur-
gundy the Earldom of Vermandois Lorraine
too had belonged to France for some time. Nor-
mandy had been ceded to the Normans by the
kings of France in order to secure a temporary
respite from their incursions. From Normandy
Duke William passed over into England and
conquered it in the year 1066. He introduced
fully developed feudal constitution—a
work which to a great extent compasses
England even to the present day. And thus the
dukes of Normandy introduced the compara-
tively feeble kings of France with power of
no inconsiderable pretensions.—German was
composed of the great dukes of Saxony Swa-
bia Bavaria Carinthia Lorraine and Burund
the marriage of Thuringia with several
bishops and archbishops. Each of these
dukes again was divided into several fiefs
joyriding men less independence. The Emperor

seems often to have united several duchies under his immediate sovereignty. The Emperor Henry III was when he ascended the throne lord of many large dukedoms but he weakened his own power by enfeoffing them to others. Germany was radically a free nation and had not as France had any dominant family as a central authority it continued an elective empire. Its princes refused to surrender the privilege of choosing their sovereign for themselves and at every new election they introduced new restrictive conditions so that the imperial power was degraded to an empty shadow. In Italy we find the same political condition. The German emperors had pretensions to it but their authority was valid only so far as they could support it by direct force of arms and as the Italian cities and nobles deemed their own advantage to be promoted by submission Italy was like Germany divided into many larger and smaller dukedoms earldoms bishoprics and

curies. The north divided until before the Norman conquest by the Normans Spain maintained a contest with the Saracens either defensive or victorious through the whole mediæval period till the latter finally succumbed to the more matured power of Christian civilization.

Thus all right vanished before individual might for equality of rights and rational legislation where the interests of the political stability of the state are kept in view had no existence.

The *third reaction* noticed above was that of the element of universality against the real world as split up into particularity. This reaction proceeded from below upward—from that condition of isolated possession itself and was then promoted chiefly by the Church. A sense of

the unsanctioned might of individuals had any validity men could find no repose and Christendom was so to speak agitated by the tremor of an evil conscience. In the eleventh century the fear of the approaching final judgment and the belief in the speedy dissolution of the world spread through all Europe. This dismay of soul impelled men to the most irrational proceedings. Some bestowed the whole of their possessions on the Church and passed their lives in continual penance the majority dissipated their worldly all in riotous debauchery. The Church alone in

creased its riches by the hallucinations, through donations and bequests.

About the same time too terrible famines swept away their victims human flesh was

the centre of Christendom presented the most revolting aspect. Every virtue was alien to the times in question consequently *virtus* had lost its proper meaning in common use it denoted only violence and oppression sometimes even libidinous outrage. This corrupt state of things affected the clergy equally with the laity. Their own advowees had made themselves masters of the ecclesiastical estates intrusted to their keeping and lived on them quite at their own pleasure restricting the monks and clergy to a scanty pittance. Monasteries that refused to accept advowees were compelled to do so the neighbouring lords taking the office upon themselves or giving it to their sons. Only bishops and abbots maintained themselves in possession being able to protect themselves partly by their own power partly by means of their retainers since they were for the most part of noble families.

The bishoprics being secular fiefs their occupants were bound to the performance of imperial and feudal service. The investiture of the bishops belonged to the sovereigns and it was their interest that these ecclesiastics should be attached to them. Whoever desired a bishopric therefore had to make application to the king and thus a regular trade was carried on in bishoprics and abbaties. Usurers who had lent money to the sovereign received compensation by the bestowal of the dignities in question the worst of men thus came into possession of spiritual offices. There could be no question that the clergy ought to have been chosen by the religious community and there were always influential persons who had the right of electing them but the king compelled them to yield to his orders. Nor did the papal dignity fare any better. Through a long course of years the counts of Tuscany near Rome conferred it on members of their own family or on persons to whom they had sold it for large sums of money. The state of things became at last so intolerable that laymen as well as ecclesiastics of energetic character opposed its continuance. The Emperor Henry III put an end to the strife of factions by nominating the Popes himself and supporting them by his authority in defiance of the opposition of the Roman nobility. Pope Nicholas

It desired that the Pope should be chosen by the cardinals but as the latter partly belonged to different families similar conflicts frequently occurred to accompany their election. Gregory VII (already famous as Cardinal Hilary) sought to secure the independence of the Church in this final conclusion of the matter by two measures especially. First he enforced the *excommunication of the clergy*. From the earliest times it must be observed, the papacy had preserved its independence and desirability. The clergy were to remain unmarried. Yet the ancient and powerful influences which that this requirement was but indifferently complied with. Nicholas II had indeed pronounced the married clergy to be heretical but Gregory VII proceeded to enforce the restriction with extraordinary energy and communication all the married clergy and all laymen who should hear Mass were excommunicated. In this way the ecclesiastical body was thus up with a high and excluded from the morality of the state. His condemnation was directed against simony and the sale of ecclesiastical appointments to bishops and the Papal See itself. Ecclesiastical offices were therefore to be filled by the clergy who were to be exempt from any arrangement which necessarily brought the ecclesiastical body into collision with secular authorities.

These were the two grand measures by which Gregory pursued to emancipate the Church from conditions of dependence and exposure to secular interference. But Gregory made still further demands on the secular power. The transference of the investiture of the clergy was to be reserved to the Pope in virtue of his ordination. He was to exercise control over the appointment of the ecclesiastical community. The Church as divinely instituted power had claim to supremacy over secular authority. It was to claim on the abstract principle that the divine is superior to the secular. The Emperor, his position among which the Pope would perform, was obliged to promise upon oath that he would always be obedient to the Pope and the Church. Whole kingdoms and as well as the Papal States of England and Ireland came into formal relation with the papal chair.

Thus the Church attained an independent position. It was no longer asked to serve the secular power and in these conditions the unity found permanent centre of unity and power. In this way the Church attained the

most influential position in secular affairs. It arrogated to itself the award of princely crowns and assumed the part of mediator between sovereign powers in war and peace. The conditions which particularly fostered such interventions on the part of the Church were the marriages of princes. It frequently happened that princes wished to be divorced from their wives but for which they needed the permission

But the introduction of the issue of the feuds and private revenge were suspended for at least certain days in the week, often for entire weeks and the Church maintained this arrangement. The Church brought it however not a reason to

of the bishops and on occasions of opposition on the part of nobles to the leniency and caprice of princes the firm had the support of the Pope. But in these proceedings the Church brought to bear against opponents only a force and arbitrary resolution of the same kind as that

were apt to intrude as matters of ecclesiastical intervention. They therefore took by the Church as far as they deemed their interest to do so themselves. They showed a great dread of excommunication and other ghostly terrors. Italy was the country where the utility of the Pope was least respected and the worst usage they experienced was from the Romans themselves. Thus what the Popes required in point of land and wealth and direct sovereignty they lost in influence and consideration.

We have then to probe to its depths the spiritual element in the Church—the form of its power. The essence of the Christian principle

has already been unfolded it is the principle of mediation. Man realizes his spiritual essence only when he conquers the natural that attaches to him. This conquest is possible only on the supposition that the human and the divine nature are essentially one and that man so far as he is spirit also possesses the essentiality and substantiality that belong to the idea of deity. The condition of the mediation in question is the consciousness of this unity and the intuition of this unity was given to man in Christ. The object to be

the present the piece of bread consecrated by the priest is the present God subjected to human contemplation and ever and anon offered up. One feature of this representation is correct inasmuch as the sacrifice of Christ is here regarded as an actual and eternal transaction. Christ being not a mere sensuous and single but a completely universal *se idu* *vine indi iduum* but on the other hand it involves the error of isolating the sensuous phase for the Host is adored even apart from its being partaken of by the faithful and the presence of Christ is not exclusively limited mental vision and spirit. Justly therefore did the Lutheran Reformation make this dogma an especial object of attack. Luther proclaimed the great doctrine that the Host had spiritual value and Christ was received only on the condition of faith in him apart from this the Host he affirmed was a mere external thing possessed of no greater value than any other thing. But the Catholic falls down before the Host and thus the merely outward has sanctity ascribed to it. The Holy as a mere thing has the character of externality thus it is capable of being taken possession of by another to my exclusion it may come into an alien hand since the process of appropriating it is not one that takes place in spirit but is conditioned by its quality as an external object. The highest of human blessings is in the hands of others. Here arises *ipso facto* a separation between those who possess this blessing and those who have to receive it from others—between the clergy and the laity. The laity as such are alien to the divine. This is the absolute schism in which the Church in the Middle Ages was involved it arose from the recognition of the holy as something external. The clergy imposed certain conditions to which the laity must conform if they would be partakers of the holy. The entire development of doctrine

spiritual insight and the knowledge of divinity thus belonged exclusively to the Church and has to ordain and the laity have simply to believe obedience is their duty—the obedience of faith without insight on their part. This position of things rendered faith a matter of external legislation and resulted in from the

the same principle they severed from the holy in every form. For on the same principle as that by which the clergy are the medium between man on the one hand and God and Christ on the other hand the layman cannot directly apply to the divine being in his prayers but only through mediators—human beings who conciliate God for him the dead the perfect—*Saints*. Thus originated the adoration of the Saints and with it that conglomerate of

In the popular and religious picture the imagination but the coarser natures of the West desired something more immediate as the object of their contemplation and thus arose the worship of relics. The consequence was a formal resurrection of the dead in the medieval period every pious Christian wished to be in possession of such sacred earthly remains. Among the Saints the chief object of adoration was the Virgin Mary. She is certainly the beautiful concept of pure love—a mother's love—but spirit and thought stand higher than even this and in the worship of this conception that of God in spirit was lost and Christ himself was set aside. The element of mediation between God and man was thus apprehended and held as something external. Thus through the perversion of the principle of freedom absolute slavery became the established law. The other aspects and relations of the spiritual life of Europe during this period flow from this principle. Knowledge comprehension of religious doctrine is one thing of which spirit is judged incapable it is the exclusive possession of a class which has to determine the true. For man may not presume to stand in a direct relation to God so that as we said before if he would apply to Him he needs a mediator—a saint. This view imports the denial of the essential unity of the divine and human since man as such is declared incapable of recognizing the divine and of approaching thereto. And while humanity is thus

ward from the supreme good, no man is free of his sin, is based upon the fact that the only way of the divine and the human is to be found in man himself—but the laws of God are exhibited to man in the most direct manner to make him to escape from sin not by moral amendment, but in virtue of something external—the means of grace." Thus it ever is an occasion to the human mind that the confessor must furnish him with them. The individual has the offices is him to expose all the particulars of his life in contact with the new life confessed and in the end with course he has to pursue and spiritual safety. Thus the Church took the place of conscience, it put men in leading strings like children, and told them that man could not be freed from the temptations which his sin had merited by an amendment of his own moral condition, but by outward actions, *opera pietatis* which were not the promotion of his own good will, but performed by command of the commands of the Church, as being thus doing penance going through a certain number of prayers undertaking pious actions which are unspiritual, self-reliance which are not only mere external exercises, but are such as can be even mechanically performed. The supererogatory works assigned to him could be purchased and the spiritual advantage which they merited, secured to the purchaser. This was produced an inner degradation of all that is recognized as good and moral in the Christian Church only external requirements are imposed upon, and these can be complied with in mere external way. A reaction to the very reverse of freedom is in the view of the principle of freedom itself.

With this perversion is connected the absolute separation of the spiritual from the secular sphere generally. There is no doubt that the Christian is in the heart and soul to himself and the social, ethical whose interest and his is secularism, etc. It is science and the law can comprehend the kingdom of God and the social in rational world and thus recognizes the fact that the course of time was witnessed process ever tending to the realization of this unity. But piety as such has nothing to do with the secular. It can make no claim in this sphere on mission of mercy but it stops short of direct social ethical concern with—does not come up to the idea of freedom. Religious feeling is exalted, history and has no history of history as far as the entire of man, recognizing

self in subjective freedom, as the expression of social in rational in the time in the middle of the embodiment of the divine in actual life was wanting the synthesis was no harmonized. Social in rational was represented as workless and this in its three most essential particulars. One phase of social morality is that connected with love with the emotions called forth in the marriage relation. It is no proper to say that the marriage is necessary to nature but this is addressed to social morality. Marriage was indeed reckoned by the Church among the sacraments, but notwithstanding the position this assigned to it was degraded, marriage and celibacy was reckoned as the more honorable. A second point of social morality is presented in activity—the workman has to perform for his subsistence. His duty consisted in his depending entirely on the diligence, conduct, and the efficiency for the supply of his work. The direct conversation of this principle *propter meritum* activity was regarded as nobler and the immoral thus received the stamp of consecration. A third point of moral values is that obedience rendered to the moral and rational, an obedience to laws which I recognize as just but it be no that blind and unconditional compliance which does not know what it is doing and whose course of action is a mere groping about with our dear consciences or the efficiency. But it was exactly this latter kind of obedience that

obedience of freedom.

In this was the three ways of slavery, poverty and obedience turned out the very opposite of what they assumed to be and in them all social morality was degraded. The Church was

the more absolute of respect for conscience same essence and directed of laws of which the entire history of the period is the picture in detail.

According to the above, the Church of the Middle Ages exhibited itself as material and self-centered. For subjective even although retaining of the above is at the same time limited and deficient existing even as in the force and will. Its limits on began in its taking up this distinctive position, a difference on sensuously begins as on radical and sea.

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The question of the mediation in question is the consciousness of this unity and the intuition of this unity was given to man in Christ. The object to be attained is therefore that man should lay hold of it so that the divine

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separated from the supreme good no longer of itself in its subject: the freedom as the economy of social morality in the state. In the middle he embodies of the divine in actual life.

There have ever been an *arcanum*

and the confessor must furnish him with it. The ideal has to confess as bound to expose all the particulars of his life

of his own good will but pertains to the command of the ministers of the Church and

the soul and which are not only mere external ceremonies but are such as can be entered into

derangement of all that is organized a good and moral the Christian Church only external requirements are insisted upon and these can be emphasized with a merely external way. A direct every reference of freedom in

With this perversion connected the absolute separation of the political from the secular principle. The religious ideal is king—this is the ideal in the history of the culture of the clergy the ideal which is element of philosophy is the exact result of the

that it can comprehend the kingdom of God and the socially moral ideal is dead that erodes the faith in the courts of time has tested process of the degradation of the realization of the unity of the polity as has things to do with the culture it may make the that philosophy is a mere mercy but the tops of the society socially ethical connect with it—does it mean up to the ideal of freedom. Religion is a strange chaotic chaos in history is a history is a history of the empire of the spirit of the

reckoned by the Church and is but notwithstanding the position thus assigned it was degraded inasmuch as celibacy was reckoned as the more holy state. A second point of social morality is presented in activity—the woman has to perform for his subsistence. His dignity consists in his dependence entirely on his diligence, conduct and intelligence for the supply of his wants. In direct contradiction of this principle pauperism, laziness, inactivity was regarded as nobler and the immoral thus received the stamp of consecration. A third point of morality is that obedience be rendered to the moral and rational as an obedience to laws which I recognize as just that it be not that blind and unconditional compliance which does not know what it is doing and whose curse of action is a mere groping about without clear consciousness or intelligence. But it was exactly this lack of obedience that passed for the most pleasing to God a doctrine which exalts the obedience of slavery imposed by the arbitrary will of the Church above the obedience of freedom.

In this way the threats of chastity powerfully adduced met with the very opposite of what they seemed to be and in them all the idealism was degraded. The Church was

celestial being of respect for conscience hameless—a distant state of things of which the history of the people is the picture in detail.

A direct threat of the Church of the Middle Ages shrouds itself in a mysterious cloud. For the subject is present although testifying of the absolute at the same time I intended to find the sting of the angelic adoration. Its limit is begun in taking up the dust of the tomb and he can naturally begin its dictatorship itself.

alienated phase for that intelligence and will are not imbued with the truth which appears in relation to them as something given. This externality of the absolute object of comprehension affects the consciousness thus: that the absolute object presents itself as a merely
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val absolute demand is made upon spirit. The second form of the contradiction in question has to do with the relation which the Church itself sustains. The true spirit exists in man—is his spirit—and the individual gives himself the certainty of this identity with the absolute in worship—the Church sustaining merely the relation of a teacher and directress of this worship. But here on the contrary we have an ecclesiastical body like the Brahmins in India in possession of the truth—not indeed by birth but in virtue of knowledge teaching and training—yet with the proviso that this alone is not sufficient: an external form, an unspiritual title being judged essential to actual possession. This outward form is ordination whose nature is such that the consecration imparted inheres essentially like a sensuous quality in the individual whatever be the character of his soul—be he irreligious, immoral, or absolutely ignorant. The third kind of contradiction is the Church itself in its acquisition as an outward existence of possessions and an enormous property—a state of things which since that church despises or professes to despise riches is none other than a lie.

And we found the state during the mediæval period similarly involved in contradictions. We spoke above of

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posse for passion and physical force assume an independent position and own no subjection to that merely abstract conception. But *secondly* the bond of union which holds the mediæval state together and which we call fidelity is left to the arbitrary choice of men's disposition which recognizes no objective duties. Consequently this fidelity is the most *unfaithful* thing possible. German honour in the Middle Ages has become a proverb but examined more closely as history exhibits it we find it a veritable *Pan ca fides* or *Græca fides* for the princes

and vas als of the Emperor are true and honourable only to their selfish aims individual advantage and passions but utterly untrue to the Empire and the Emperor because in fidelity in the abstract their subjective caprice receives sanction and the state is not

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manu prey—religious devotion the most beautiful in outward aspect and springing from the very depths of sincerity—and on the other hand a barbarous deficiency in point of intelligence and will. W. G. A.

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1 luculent delirium of passion and yet a Ch is worth So self

val per a true polemical zeal with which its excellence is contended for is one of the absurdities of our times. Primitive barbarism rudeness of manners and childish fancy are not revolting they simply excite our pity. But the highest purity of soul defiled by the most horrible barbarity the truth of which a knowledge has been acquired degraded to a mere tool by falsehood and self seeking that which is most irrational coarse and vile established and strengthened by the religious sentiment—this is the most disgusting and revolting spectacle that was ever witnessed and which only philosophy can comprehend and so justify. For such an antithesis must arise in man's consciousness of the holy while this consciousness still remains primitive and immediate and the profounder the truth to which spirit comes into an *implicit* relation while it has not yet become aware of its own presence in that profound truth so much the more alien is it to itself in this its unknown form but only as the result of this alienation does it attain its true harmonization.

We have then a reaction of the time that it only subjects to itself that again which it reacts—does not reform it. While the spiritual repudiating its proper sphere of action has been acquiring secular power a secular sovereignty has also consolidated itself and attained a systematic development—the *feudal system*. As through their isolation men are reduced to a dependence on their individual power and meet every point in the world on which a human being can maintain his ground becomes an *energetic* one. While the individual still remains

defence of the defence of laws and is protected only by his own exertion, life, activity and exertion everywhere manifest themselves. As the internal also through the external of the Church, and to this end should obey it only in a partial requirement. The lordship in the pursuit of worldly enjoyment increases on the other hand, in consequence of the fear of its production, and devotion to the spiritual wealth for the Church becomes necessary when required, for oppressive and vicious actions of all kinds.

The period from the eleventh to the thirteenth century witnessed the first impulse which devoured itself in various forms. The inhabitants of various districts began to build enormous churches—cathedrals erected to contain the new community. Architecture is always the first and most important phase of the domi-

gan to develop itself from the protective relation of feudal protection to freedom originated in its direct contrary. The feudal lords or great barons enjoyed properly speaking no free or absolute position any more than their dependents; they had unlimited power over the latter but at the same time they also were vassals of princes higher and nobler than themselves and to whom they were under engagements—which, it must be confessed, they did not fulfil except under compulsion. The ancient Germans had known of none other than free possessors; but this principle had been perverted into its

a bell was suspended the ring of the bell was

and thus stimulated the productive industry of their citizens at home. The sciences began to flourish again, the oldest universities were founded in Bologna and other places as the last of medicine. It is on the rise and growing importance of the city that the cities were developed as the main condition of our subject. The official treatment in moderation and the rise of such communities was greatly desiderated. For the time being the Church, present themselves as reacts against feudal power—the earliest legal and finally consolidated power. The nation has already been made of the fact that the possessors of power compelled them to put them in order their protection in churches of safety were called but they and most times unduly were neglected. The law needed protection. These now became burghers and entered the church and the church itself had its own bodies. Thus firmly established the community was formed in many places. Many cities of the republics still existed in Italy in the south of France and in Germany on the Rhine which dated their existence from the ancient Roman times and which originally possessed municipal rights but subsequently lost them under the rule of feudal governors. The citizens like their rural neighbors had been reduced to vassals.

The principle of free possession however be-

came a municipal government consisting of magistrates, jurors, consuls and the establishment of a common treasury the imposition of taxes, tolls etc. Trenches, roads, and walls built for the common defence and the citizens are forbidden to erect fortresses for themselves individually. In such a community handicrafts as distinguished from agriculture find their proper home. Artisans necessarily soon attained superior position to that of the tillers of the ground, for the latter were forcibly driven to work the former displayed activity early their own and a corresponding children and interested in the result of their labours. Formerly artisans had been obliged to get permission from their lords to do to sell their work, did earn in thing for them. They were obliged to pay them a certain sum for this privilege of market besides contributing a portion of their gains to the baronial exchequer. Those who had houses of their own were obliged to pay considerable quitrent to them. In the twelfth century was imported and exported, the nobility imposed large tolls and the security afforded to travellers by exacted safe-conduct money. When at a later date these communities became stronger all civil rights were precluded from the nobles of the cession of them compulsion started by degrees that it was secured an independent

office of judge and *podesta*. It was

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in a few years were once more deprived of their supremacy

Thus the history of these cities presents on the one hand in individual characters marked by the most terrible or the most admirable features an astonishingly interesting picture on the other hand it repels us by assuming as it unavoidably does the aspect of mere chronicles. In contemplating the restless and ever varying impulses that agitate the very heart of these cities and the continual struggles of factions we are astonished to see on the other side industry commerce by land and sea in the highest degree prosperous. It is the same principle of lively vigour which nourish
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in the cities where a social organization on a basis of right was first resuscitated as powers reacting against the authority of princes and feudal lords. Against these two rising powers there followed a reactionary movement of princely authority the Emperor now enters on a struggle with the Pope and the cities. The Emperor is recognized as the apex of Christian secular power the Pope on the other hand as that of ecclesiastical power which had now however become as decidedly a secular dominion. In theory it was not disputed that the Roman Emperor was the head of Christendom—that he possessed the *dominium mundi*—that since all Christian states belonged to the Roman Empire their princes owed him allegiance in all reasonable and equitable requirements. However satisfied the emperors themselves might be of the validity of this claim they had too much good sense to attempt seriously to enforce it but the empty title of Roman Emperor was a sufficient inducement to them to exert themselves to the utmost to acquire and maintain it in Italy. The Ottos especially cherished the idea of the continuation of the old Roman Empire and were ever and anon summoning the German princes to join them in an expedition to Rome with a view to coronation there an undertaking in which they were often deserted by them and had to undergo the shame of a retreat. Equal dis-
appointment was experienced by those Italians

instances the trading class subsequently divided itself into *guilds* to each of which were attached particular rights and obligations. The factions to which episcopal elections and other contingencies gave rise very often promoted the attainment by the towns of the rights above mentioned. As it would not infrequently happen that two rival bishops were elected to the same see each one sought to draw the citizens into his own interest by

in some towns they maintained their position as lords of the municipality in others the citizens got the upper hand and obtained their freedom. Thus e.g. Cologne threw off the yoke of its bishop. Mayence on the other hand remained subject. By degrees cities grew to be independent republics first and foremost in Italy then in the Netherlands Germany and France. They soon came to occupy a peculiar position with respect to the nobility. The latter united itself with the

position but the citizens resisted the usurpation and secured the government to themselves. The rich citizens (*populus crassus*) now excluded the nobility from power. But in the same way as the party of the nobility was divided into factions—especially those of Ghibellines and Guelfs of which the former favored the Emperor the latter the Pope—that of the citizens also was rent in sunder by intestine strife. The victorious faction was accustomed to exclude its vanquished opponents from power. The patrician nobility which supplanted the feudal aristocracy deprived the common people of all share in the conduct of the state and thus proved itself no less oppressive than the original noblesse. The history of the cities presents us with a continual change of constitutions according as one party among the citizens or the other this faction or that got the upper hand. Originally a select body of citizens chose the magistrates but as in such elections the victorious faction always had the greatest influence no other means of securing impartial functionaries was left but the election of foreigners to the

THE GERMAN WORLD

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of losing the Pope and in the secular sovereignty. It was the rights of the state for which the Emperors contended. But to that secular power which they with good they were at the same time subject in ritual of its spiritual pretensions thus the conflict was in its irreconcilable contradiction.

persons made in the prince's servant's subjects were divided into two main divisions in which they were bound by the strongest ties of allegiance to the Emperor. On the one hand, the emperor and the same time. The chief interest of the princes lay in that cry as unimpeded independence in reference to the state gained which was the part of the Pope. See the Emperor was contending so that they were willing to stand by the Emperor in cases where the empty dignity of the imperial crown was impugned. The particular occasion—going in contest with the cities—but he condemned him when he meditated seriously serving his wish against the secular power of the lords against the other princes.

As on the one hand the German Emperors sought to realize their title in Italy so on the other hand, they had to political Germany. The interest of the two countries were

thus linked together and neither could gain political consolidation without the other. In the brilliant period of the Hohenstaufen dynasty the individuals of command in character united the dignity of the throne were ens like Frederick Barbarossa in whom the imperial power manifested itself in its greatest majesty and who by his personal qualities succeeded in attaching the subject princes to his interests. Yet brilliant as the history of the Hohenstaufen dynasty may appear and stirring as might have been the contest with the Church the former presents on the whole nothing more than the tragedy of this house itself and the latter had no important result in the sphere of spirit. The cities were indeed compelled to acknowledge the imperial authority and the representatives swore to observe the decisions of the Roman Diet but they kept the sword no longer than they were compelled to do so. Their sense of obligation depended exclusively on the direct consciousness of a superior power ready to enforce it. It is said that when the Emperor Frederick I asked the deputies of the cities whether they had not sworn to the conditions of peace they answered 'Yes' but not that we would observe them. The result was that Frederick I at the Peace of Constance (1153) was obliged to concede to them a virtual independence although he appended the

feudal under the titles and imper powers to elect

the bishops the presence of the Emperor of imperial commissioners then the Emperor was to invest the bishop as secular feudatory with the *temporal* while the ecclesiastical nature was reserved for the Pope. Thus the protracted contest between the secular and spiritual powers was at length set at rest.

Chapter 2 The Crusades

The Church gained the victory in the struggle referred to in the previous chapter and in this way secured as decided supremacy in Germany as she did in the other states of Europe by calmer processes. She made herself mistress of all the elements of life and of science and art and she was the permanent repository of spiritual treasures. In twelfth and thirteenth centuries full development of the secular life we find a deficiency and consequently craving

jurisdiction and likewise freed themselves from all taxes tolls and rents. The burden which continued the longest was the obligation the towns were under to maintain

and subsequently divided itself into *guilds* to each of which were attached particular rights and obligations. The factions to which episcopal elections and other contingencies gave rise very often promoted the attainment by the towns of the rights above mentioned. As it would not infrequently happen that two rival bishops were elected to the same see each one sought to draw the citizens into his own interest.

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original a select body of citizens chose the magistrates but as in such elections the victorious faction always had the greatest influence no other means of securing impartial functionaries was left but the election of foreigners to the

office of judge and *podestà*. It also frequently happened that the cities chose foreign princes as supreme seigneurs and intrusted them with the *signoria*. But all of these arrangements were only of short continuance the princes soon misused their sovereignty to promote their own ambitious designs and to gratify their passions and in a few years were once more deprived of their supremacy.

Thus the history of these cities presents on the one hand individual characters marked by the most terrible or the most admirable features an astonishingly interesting picture on the other hand it repels us by its

and the continual struggles of factions we are astonished to see on the other side industry commerce by land and sea in the highest degree prosperous. It is the same principle of lively vigour which nourished the

We attended it over all the sovereignties of the time and the cities where a social organization on a basis of right was first resuscitated as powers reacting against the authority of princes and feudal lords. Against these two rising powers there followed a reactionary movement of princely authority the Emperor now enters on a struggle with the Pope and the cities. The Emperor is recognized as the apex of Christian secular power the Pope on the other hand as that of ecclesiastical power which had now however become as decidedly a secular dominion. In their emperor possessed Christ in states belonged to the Roman Empire their princes owed him allegiance in all respec-

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existence—the real culmina-

the Crusades was made in the eleventh century. Thousands of Jews were massacred, and their property seized, and after this terrible prelude the crusading army began its march. The monk Peter

divided way and only a few...
 ...ple. For rational considerations were
 out of the question. The mass of them believed
 that God would be the immediate guide and
 protector. The most striking proof of that enthu-
 siasm almost robbed the natives of Europe of
 their senses as applied by the fact that at
 later time troops of children ran away from their
 parents and went to Marseille there to take
 ship for the Holy Land. Few realized the
 rest was sold by the merchants to the Saracens
 as slaves.

At last with much trouble diminish loss
 E regular armies trained to the red blood

memorials But in the grave is found the real point of retros on it is in the gra e that all the vanity of the ensuous perishes At the Holy Sepulchre th vanity of opinion passes away there all is cert usness I the negation of that d e te and prese t embodiment se of the

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the definite form in question presupposes the union of the singular with the eternal is the spiritual self-grazing independence of the individual. Thus the world attains the conviction

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The did Christ d m m into the pos-
 s t t his best good, J rusalem was mad a
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 ludy the Sepulchre wer the most en rated

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Th West had an

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Crusades of the kind, bearing somewhat the character of wars with few to mere secular objects but which in led a religious interest. The contest is waged by Spain against the Saracens in the peninsula itself. The Christians had been shut up in a corner by the

All his criticisms projects, as he began
to bring it to the basic principle—the statement
of subjectivity—of absolute decision on their part is
instead of being referred an extraneous matter.

manifesting itself in Christendom and which drove it out of itself To understand this want we must revert to the nature of the Christian religion itself and particularly to that aspect of it by which it has a footing in the present in the consciousness of its votaries

The objective doctrines of Christianity had been already so firmly settled by the councils of the Church that neither the mediæval nor any other philosophy could develop them further except in the way of exalting them intellectually so that they might be satisfactory as presenting the form of thought And one essential point in this doctrine was the recognition of the divine nature as not in any sense an *other world* existence but as in unity with human nature in the present and actual But this presence is at the same time exclusively spiritual presence Christ as a particular human personality has left the world his *temporal* existence is only a past one — *i.e.* it exists only in mental conception And since the divine existence on earth is essentially of a *spiritual* form his po

of Christ calls himself only the Servant of Servants How then did the Church realize Christ as a *definite and present existence*? The principal form of this realization was as remarked above the Holy Supper in the form it presented as the Mass in this the life suffering and death of the actual Christ were verily present as an eternal and daily repeated sacrifice Christ appears as a definite and present existence in a sensuous form as the *Host* consecrated by the priest so far

of God) In all places therefore there will occur manifestations of the heavenly in specially glorious appearances the stigmata of Christ's Passion etc and the divine will be realized in *miracles* as detached and isolated phenomena In the period in question the Church presents the aspect of a world of miracle to the community of devout and pious persons natural existence has utterly lost its stability and certainly rather absolute certainty has turned against it and the divine is not conceived of by Christendom und and natu and deta

in the rational form of existence is utterly perverted

In this complete development of the Church we may find a deficiency but what can be felt as a want by it? What compels it in this state of perfect satisfaction and enjoyment to wish for something else within the limits of its own principles—without apostatizing from itself? Those miraculous images places and times are only isolated points momentary appearances—are not an embodiment of deity not of the highest and absolute kind The Host the supreme manifestation is to be found indeed in innumerable churches Christ is therein transubstantiated to a present and particular existence but this itself is of a vague and general character it is not his actual and very presence as particularized in *space* That presence has passed away as regards *time* but as *partial* and as *concrete* in *space* it has a mundane permanence in this particular spot this particular village etc It is then

is conditioned by the limitations of particularity—that the Host this thing is set up to be adored as God The Church then might have been able to content itself with this sensuous presence of deity but when it is once granted that God exists in external phenomenal presence this external manifestation immediately becomes infinitely varied for the need of this presence is infinite Thus in innumerable instances will occur in the experience of the Church in which Christ has appeared to one and another in various places and still more frequently his divine Mother who as standing nearer to humanity is a second mediator between the Mediator and man (the miracle working images of the Virgin are in their way Hosts since they supply a benign and gracious presence

to Christendom that the holy places and the Sepulchre of Christ in particular are not in possession of the Church In this feeling Christendom was united consequently the *Crusades* were undertaken whose object was not the furtherance of any special interests on the part of the several states that engaged in them but simply and solely the conquest of the Holy Land

The West once more sallied forth in host array against the East As in the expedition of the Greeks against Troy so here the invading hosts were entirely composed of independent feudal lords and knights though they were not united Gre tent der king whose object was the securing of the

Arabs but they gained upon their adversaries in strength because the Saracens in Spain and Africa were engaged in war in various directions and were divided among themselves. The Spaniards united with Frank knights undertook frequent expeditions against the Saracens and in this collision of the Christians with the chivalry of the East with its freedom and perfect independence of soul the former became also partakers in this freedom. Spain gives us the fairest picture of the knighthood of the Middle Ages and its hero is the Cid. Several Crusades the records of which excite our unmixed loathing and detestation were undertaken against the south of France also. There an æsthetic culture had developed itself the troubadours had introduced a freedom of manners similar to that which prevailed under the Hohenstaufen Emperors in Germany but with this difference that the former had in it something affected while the latter was of a more genuine kind. But as in upper Italy so also in the south of France fanatical ideas of purity had been introduced a Crusade was therefore preached against that

not to be effected by open violence it was from within by the power of spirit and by an influence that wrought its way upwards that ruin threatened it. Respect for the papacy could not but be weakened by the very fact that the lofty aim of the Crusades the satisfaction expected from the enjoyment of the ensuous presence was not attained. As little did the Popes succeed in keeping possession of the Holy Land. Zeal for the holy cause was exhausted among the princes of Europe. Grieved to the heart by the defeat of the Christians the Popes again and again urged them to advance to the rescue but

sensuous presence of deity fell back upon itself. A rupture the first of its kind and profound as it was novel took place. From this time forward we witness religious and intellectual movements in which spirit transcending the repulsive and irrational existence by which it is surrounded either finds its sphere of exercise within itself and draws upon its own resources for satisfaction or throws its energies into an actual world of general and morally justified aims which are therefore aims consonant with freedom. The efforts thus originated are now to be described they were the means by which spirit was to be prepared to comprehend the grand purpose of its freedom in a form of greater purity and moral elevation.

To this class of movements belongs in the first place the establishment of monastic and chivalric orders designed to carry out those rules of life which the Church had distinctly enjoined upon its members. That renunciation of property riches pleasures and free will which the Church had designated as the highest of spiritual attainments was to be a reality—not a mere profession. The existing monastic and other institutions that had adopted this vow of renunciation had been entirely sunk in the corruption of worldliness. But now spirit sought to realize in the sphere of the principle of negativity purely in itself what the Church had demanded. The more immediate occasion of this movement was the rise of numerous heresies in the south of France and Italy whose tendency was in the direction of enthusiasm and the unbelief which was now gaining ground but which the Church justly deemed not so dangerous as those heresies. To counteract these evils new monastic orders were founded the chief of which was that of the Franciscans or Mendicant Friars whose founder St. Francis of Assisi a

innocent and the guilty indiscriminately and utterly laid waste the fair region which they inhabited.

Through the Crusades the Church reached the completion of its authority it had achieved the perversion of religion and of the divine spirit it had distorted the principle of Christian freedom to a wrongful and immoral slavery of men's souls and in so doing far from abolishing lawless caprice and violence and supplanting them by a virtuous rule of its own it had even enlisted them in the service of ecclesiastical authority. In the Crusades the Pope stood at the head of the secular power the Emperor appeared only in a subordinate position like the other princes and was obliged to commit both the initiative and the executive to the Pope as the manifest generalissimo of the expedition. We have already seen the noble house of Hohenstaufen presenting the aspect of chivalrous dignified and cultivated opponents of the papal power when spirit had given up the contest. We have seen how they were ultimately obliged to yield to the Church which elastic enough to sustain any attack bore down all opposition and would not move a step towards conciliation. The fall of the Church was

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chiefly prosecuted and brought to perfection in France France in fact began at that time to be regarded as the centre of Christendom there the scheme of the first Crusades originated and French armies carried it out there the popes took refuge in their struggles with the German emperors and with the Norman princes of Naples and Sicily and there for a time they made a continuous sojourn We also observe in the period subsequent to the Crusades commencements of art—of painting &c even during their continuance a peculiar kind of poetry had made its appearance Spirit unable to satisfy its cravings created for itself by imagination farer forms and in a calmer and freer manner than the actual world could offer

Chapter 3 *The Transition from Feudalism to Monarchy*

The moral phenomena above mentioned tending in the direction of a general principle were partly of a subjective partly of a speculative order But we must now give particular attention to the practical political movements of the period The advance which that period witnessed presents a negative aspect in so far as it involves the termination of the sway of individual caprice and of the isolation of power Its affirmative aspect is the rise of a supreme authority whose dominion embraces all—a political power properly so called whose subjects enjoy an equality of rights and in which the will of the individual is subordinated to that common interest which underlies the whole This is the advance from feudalism to monarchy The principle of feudal sovereignty is the *outward* force of individuals—princes liege lords it is a force destitute of *intrinsic* right The subjects of such a constitution are vassals of a superior prince or seigneur to whom they have stipulated duties to perform but whether they perform these duties or not depends upon the seigneur's being able to induce them so to do by force of character or by grant of favours conversely the recognition of those feudal claims themselves was extorted by violence in the first instance and the fulfilment of the corresponding duties of the power which was the sole basis of the claims in question The monarchical principle also implies a supreme authority but it is an authority over persons possessing no independent power to support their individual caprice where we have no longer caprice opposed to caprice for the supremacy implied in monarchy is essentially a power emanating from a political

body

see nothing but lords and serfs in monarchy on the contrary there is one lord and no serf for servitude is abrogated by it and in it right and law are recognized it is the source of real freedom Thus in monarchy the caprice of individuals is kept under and a common gubernatorial interest established In the suppression of those isolated powers as also in the resistance made to that suppression it seems doubtful whether the desire for a lawful and equitable state of things or the wish to indulge individual caprice is the impelling motive Resistance to kingly authority is entitled liberty and is lauded as legitimate and noble when the idea of arbitrary will is associated with that authority But by the arbitrary will of an individual exerting itself so as to subjugate a whole body of men a community is formed and comparing this state of things with that in which every point is a centre of capricious violence we find a much smaller number of points exposed to such violence The great extent of such a sovereignty necessitates general arrangements for the purposes of organization and those who govern in accordance with those arrangements are at the same time in virtue of their office itself obedient to the state vassals become officers of state whose duty it is to execute the laws by which the state is regulated But since this monarchy is developed from feudalism it bears in the first instance the stamp of the system from which it sprang Individuals quit their isolated capacity and become members of estates and corporations the vassals are powerful only by combination as an order in contraposition to them the cities constitute powers in virtue of their communal existence Thus the authority of the sovereign inevitably ceases to be mere arbitrary sway The consent of the estates and corporations is essential to its maintenance and if the prince wishes to have that consent he must will what is just and reasonable

We now see a constitution embracing various orders while feudal rule knows no such orders We observe the transition from feudalism to monarchy taking place in three ways

1 Sometimes the lord paramount gains a mastery over his independent vassals by subjugating their individual power—thus making himself sole ruler

2 Sometimes the princes free themselves from the feudal relation altogether and become the territorial lords of certain states

3. Lastly the lord paramount treats the particular lords as that own him as their superior in his own particular territory in a more peaceful way and thus becomes master of the whole.

These processes do not indeed present themselves in history in that pure and abstract form in which they are exhibited here. Often we find more modes than one of arranging contemporaneous history, one or the other always predominates. The cardinal consideration is that the basis and essential condition of such a political formation is not to be looked for in the particular conditions in which it had its birth. Europe presents par-

political conditions we have now to consider. We shall see in relation to the change thus introduced.

First as regards the Roman Empire the connection between Germany and Italy naturally results from the demand that empire the secular domain united with the spiritual was to continue on a whole but this attempt of this was never the object of constant struggle than one with a result. In Germany and Italy the transition from the feudal condition to monarchy involved the entire abrogation of the former conditions and became independent monarchies.

Germany had always embraced a great variety of stocks Swabians Bavarians Franks Thuringians Saxons Burgundians &c. these must be added to the Slavs of the Germanized Slavs in Mecklenburg in Brandenburg and in part of the army of Austria so that a such combination as took place in France was possible Italy presented similar late things The Lombards had established themselves there while the Greeks still possessed the Exarchate and lower Italy the Normans too established a kingdom of their own in lower Italy and the Saracens maintained the ground for time in Sicily. When the rule of the house of Hohenstaufen was terminated by the barons got the upper hand throughout Germany the country being broken up into several sovereignties in which feudal despotism prevailed. It was the maxim of the

several princes to raise only weak princes to the imperial throne they even sold the imperial crown to foreigners. Thus the unity of the state was virtually annihilated. A number of centres of power were formed each of which was a predatory state the feudal constitution recognized by feudalism was dissolved and gave place to unbridled violence and pride and powerful

princes made themselves lords of the country. After the interregnum the Count of Hapsburg was elected Emperor and the House of Hapsburg continued to fill the imperial throne with but little interruption. These emperors were obliged to create a force of their own, as the princes would not grant them an adequate power attached to the empire. But that state of absolute anarchy was at last put an end to by associations having general aims in view. In the cities themselves we see associations of a minor order but now confederations of cities were formed with a common interest in the suppression of predatory violence. Of this kind was the *Hanseatic League* in the north the *Rhenish League* consisting of cities lying along the Rhine and the *Swabian League*. The aim of all these confederations was resistance to the feudal lords and even princes united with the cities with a view to the subversion of the feudal condition and the restoration of a peaceful state of things throughout the country. What the state of society was under feudal sovereignty is evident from the notorious association formed for executing criminal justice it was a private tribunal which under the name of the *Lehmgericht* held secret sittings its chief seat was the north-west of Germany. A peculiar peasant association was also formed. In Germany the peasants were bound to many of them took refuge in the towns entitled themselves as freemen in the neighborhood of the town was (*Pfahlbürger*) but in Switzerland a peasant fraternity was established. The peasant of Uri Schwyz and Unterwalden were under imperial protection so the Swiss governments were not the property of private possessors but were official appointments of the emperor. Thus the sovereigns of the Hapsburg line wished to secure to their own

and sword, and practised in the chivalric tournaments with the tournament. Another institution also tended to deprive the nobility of the ascendancy which they wielded in their courts—namely that of gunpowder. Humanity needed it and it made its appearance forthwith. It was one of the chief instruments in freeing the world from the domination of physical force and placing the various orders of society on a level. With the distinction between the weapons they used, annihilated also that between lords and serfs. And before gunpowder rifled places were no longer impregnable so that strongholds and castles now lose their importance. We may

indeed be led to lament the decay or the depreciation of the practical value of personal valour—the bravest the noblest may be shot down by a cowardly wretch at safe distance in an ob-

Only through this instrumentality could that superior order of valour be called forth that valour in which the heat of personal feeling has no share for the discharge of firearms is directed against a body of men—an abstract enemy not individual combatants. The warrior goes to meet deadly peril calmly sacrifices himself for the common weal and the valour of cultivated nations is characterized by the very fact that it does not rely on the strong arm alone but places its confidence essentially in the intelligence the generalship the character of its commanders and as was the case among the ancients in a firm combination and unity of spirit on the part of the forces they command.

In *Italy* as already noticed we behold the same spectacle as in Germany—the attainment of an independent position by isolated centres of power. In that country warfare in the hands of the condottieri became a regular business. The towns were obliged to attend to their trading concerns and therefore employed mercenary troops whose leaders often became feudal lords. Francis Sforza even made himself Duke of Milan. In Florence the Medici a family of merchants rose to power. On the other hand the larger cities of Italy reduced under their sway several smaller ones and many feudal chiefs. A papal territory was likewise formed. There also a very large number of feudal lords had made themselves independent by degrees they all became subject to the one sovereignty of the Pope. How thoroughly equitable in the view of social morality such a subjugation was is evident from Machiavelli's celebrated work *The Prince*. This book has often been thrown aside in disgust as replete with the maxims of the most revolting tyranny but nothing worse can be urged against it than that the writer having the profound consciousness of the necessity for the formation of a state has here exhibited the principles on which alone states could be founded in the circumstances of the times. The chiefs who asserted an isolated independence and the power they arrogated must be entirely subdued and though we cannot reconcile with our idea of freedom the means which he proposes as the only efficient ones and regards as perfectly justifiable—inasmuch as they involve

the most reckless violence all kinds of deception assassination and so forth—we must nevertheless confess that the feudal nobility whose power was to be subdued were assailable in no other way.

In *France* we find the converse of that which occurred in Germany and Italy. For many centuries the kings of France possessed only a very small domain so that many of their vassals were more powerful than themselves but it was a great advantage to the royal dignity in France that the principle of hereditary monarchy was firmly established there. The consideration it enjoyed was increased by the circumstance that the corporations and cities had their rights and privileges confirmed by the king and that the appeals to the supreme feudal tribunal—the Court of Peers consisting of twelve members enjoying that dignity—became increasingly frequent. The king's influence was extended by his affording that protection which only the throne could give. But that which essentially secured respect for royalty even among the powerful vassals was the increasing personal power of the sovereign. In various ways by inheritance by marriage by force of arms etc. the kings had come into possession of many earldoms and several duchies. The dukes of Normandy had however become kings of England and thus a formidable power confronted France whose interior lay open to it by way of Normandy. Besides this there were powerful duchies still remaining nevertheless the king was not a mere feudal suzerain like the German emperors but had become a territorial possessor he had a number of barons and cities under him who were subject to his immediate jurisdiction and Louis IX. succeeded in rendering appeals to the royal tribunal common throughout his kingdom. The towns attained a position of greater importance in the state. For when the king needed money and all his usual resources—such as taxes and forced contributions of all kinds—were exhausted he made application to the towns and entered into separate negotiations with them. It was Philip the Fair who in the year 130 first convoked the deputies of the towns as a Third Estate in conjunction with the clergy and the barons. All indeed that they were in the first instance concerned with was the authority of the sovereign as the power that had convoked them and the raising of taxes as the object of their convocation but the states nevertheless secured an importance and weight in

dom and as the natural result an increase in the means and conditions that accompanied such an increase in the ratio of the population. We have only to add that the

Thus France and England carried on with each other for a century. The kings were always endeavoring to make foreign conquests, the towns which had the largest share of the burdens and expenses of such wars were oppressed them and in order to placate them the kings granted them important privileges.

The Popes endeavored to make the disturbed state of society to which each of these changes gave rise an occasion for the intervention of their authority, but the interest of the growth of states was too firmly established to allow them to make the own interest of absolutism.

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England as we have already had occasion to mention.

held at Rheims in 1338 and afterwards still more decidedly at the Imperial Diet held at Frankfurt that they would defend the liberties and hereditary rights of the empire and that to make the choice of a Roman Emperor or King valid, a papal confirmation was needed. So at

oppression, rule and fiscal exactness of the kings became intolerable to them and even were forced the barons compelled King John to issue the Magna Charta, the basis of English liberty. More particularly of the privileges of the nobility among the lords, thus secured, that which concerned the administration of justice was the chief one. English nobles were not bound by personal fealty, property of life about the jurisdiction of his peer. Every nobleman was to be entitled to the feudal position of his property. Further, the king was to impose taxes without the consent of the nobles and bishops and barons. The towns were freed by the kings in opposition to the barons, who elevated themselves to the dignity of the empire state in the Commune. If use of Parliament. Yet the king was allowed to reserve full possession of the length of his reign, his estates passed on to him, and he could alienate them in times however these were gradually taken away so that the king was denied the property of his nobles to the nobles.

We shall not pursue the minute and specifically historical details that concern the incorporation of principalities with states or the dis-

that of the Pope and therefore deposed and appointed Popes. The numerous attempts directed against the ecclesiastical system confirmed the necessity of forming an Armistice. Bismarck and Hay met with sympathy in tending against the dogma of the papal vicegerency of Christ and the gross abuses that disgraced the hierarchy. These attempts were however only partial, the scope of the new hand the time was too ripe for more. Bismarck's nationalist thought, on the other hand, the salient question did not strike the heart of the matter but (especially the two latter) attacked the teaching of the Church chiefly with

indeed be led to lament the decay or the depreciation of the practical value of personal valour—the brave & the noblest may be shot down by a cowardly wretch at safe distance in an obscure lurking place but on the other hand gunpowder has made a rational considerate bravery—spiritual valour—the essential to martial success. Only through this instrumentality could that superior order of valour be called forth that valour in which the heat of personal feeling has no share for the discharge of firearms is directed against a body of men—an abstract enemy not individual combatants. The warrior goes to meet deadly peril calmly sacrificing himself for the common weal and the valour of cultivated nations is characterized by the very fact that it does not rely on the strong arm alone but places its confidence essentially in the intelligence the generalship the character of its commanders and as was the case among the ancients in a firm combination and unity of spirit on the part of the forces they command.

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it a mere thing—such as the Host *per se* a piece of stone or wood or a wretched daub quite another thing for it to contemplate a painting rich in thought and sentiment or a beautiful work of sculpture in looking at which soul binds oneself with soul and spirit with spirit. In the former case spirit is torn from its proper element, bound with something utterly alien to it—thence sensual the non-spiritual. In the latter on the contrary the sensual object is a beautiful one and the spiritual form with which it is endued gives it a sublimated contents truth in itself. But on the other hand, this element of

similar were he presented an analogous standard for judging of what was to be his own ed command and mistimed was set up. The Greeks in their works exhibited quite other moral commands than those with which the

πορναγωγία—*por-nagōgia*

almirantes e.g. Raphael's *Madonnas* do not enjoy distinction even ratification of multitude of offerings in so pictures seem on the contrary to be especially favoured and to be made the object of the warmest devotion and the most generous liberty. Pity passes by the former of these reasons that we are to be larger in the vicinity to would feel an awkward stimulus that temptations

which cannot but be felt to be alien when all that is desired is a sense of mental bondage in which life is the stupor of abject dependence. The result in its very nature tends to the principle of the Church but as the firm manifestations of life only and senseless limitation is that regarded as harmless and diffused. The Church the effect continues to follow but as soon as the free spirit in which art rigidly danced to thought and separated

For it occurred for the support of a desperate and an levelling influence the result of the tendency of equality (the same *Homans* as is revealed for the works of antiquity honours the human and the development of humanity) through this study the West became quarrelled with the true and eternal element of utility. The outward occasions of this evolution were the fall of the Byzantine Empire. Large numbers of Greeks took refuge in the west and introduced Greek literature there and they brought with them not only the knowledge of the Greek language

but would present itself. These novel ideas met with principal organs of diffusion in the newly discovered art of printing which like the use

notice in determining the character of the period, might be mentioned that urging of spirit towards—that dependence on the part of man to become equalled with his world. The church as spirit of the maritime houses of Portugal and Spain opened a way to the East Indies and discovered America. This progressive step allowed no transgression of the limits of ecclesiastical principles or feeling. The mission of Columbus was by no means merely secular or temporal. It presented also a distinctly religious spectacle. The treasures of the Indian lands which awaited his discovery were destined to his tents to be expended in a new Crusade and the inhabitants of the countries themselves were to be converted to Christianity. The recognition of the physical figure of the earth led man to perceive that it offered him definite and limited object and that he had been benighted by the new found in truthfulness

the weapons of erudition and consequently failed to excite a deep interest among the people at large

But the ecclesiastical principle had a more dangerous foe in the incipient formation of political organizations than in the

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of the individual submitted themselves. The hardness characteristic of the self-seeking quality of heart maintaining its position of isolation, the knotty heart of oak underlying the national temperament of the Germans was broken down and melted into the terrible

two iron

discipline

The Church drove the heart to deperation—made spirit pass through the severest bondage so that the soul was no longer its own but it did not degrade it to Hindu torpor for Christianity is an intrinsically spiritual principle and as such has a boundless elasticity. In the same way serfdom which made a man's body not his own but the property of another dragged humanity through all the barbarism of slavery and unbridled desire and the latter was destroyed by its own violence. It was not so much from slavery as through slavery that humanity was emancipated. For barbarism, lust, injustice constitute evil; man bound fast in its fetters is unfit for morality and religion; and it is from this intemperate and ungovernable state of volition that the discipline in question emancipated him. The Church fought the battle with the violence of rude sensuality in a temper equally wild and terroristic with that of its antagonist; it prostrated the latter by dint of the terrors of hell and held

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through since he is by nature evil and only by passing through a state of mental laceration arrives at the

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of its commencement are different and when that reconciliation has had an actual realization. The path of tortuous discipline is in that case dispensed with (it does indeed make

That the person in whom self-seeking
the desire to be good
the moral man

its appearance at a later date but in a quite different form) for the waking up of consciousness finds man surrounded by the element of a moral state of society. The phase of negation is indeed a necessary element in human development but it has now assumed the tranquil form of education so that all the terrible characteristics of that inward struggle vanish.

Humanity has now attained the consciousness of a real internal harmonization of spirit and a good conscience in regard to actuality—to secular existence. The human spirit has come to stand on its own basis. In the self-consciousness to which man has thus advanced there is no revolt against the divine but a manifestation of that better subjectivity which recognizes the divine in its own being which is imbued with the good and true and which directs its activities to general and liberal objects bearing the stamp of rationality and beauty.

Art and Science as Putting a Period to the Middle Ages

Humanity beholds its spiritual firmament restored to serenity. With that tranquil settling down of the world into political order which we have been contemplating was conjoined an exaltation of spirit to a nobler grade of humanity in a sphere involving more comprehensive and concrete interests than that with which political existence is concerned. The sepulchre that *caput mortuum* of spirit and the ultra-mundane cease to absorb human attention. The principle of a specific and definite embodiment of the infinite that desideratum which urged the world to the Crusades now developed itself in a quite different direction—in secular existence asserting an independent ground spirit made its embodiment an outward one and found a congenial sphere in the secular life thus originated. The Church however maintained its former position and retained the principle in question in its original form. Yet even in this case that principle ceased to be limited to a bare outward existence [a sacred thing the Host e.g.] it was transformed and elevated by art. Art spiritualizes animates the mere outward and material object of adoration with a form which that piety has of the infinite lavishes its devotion on a mere thing but on the higher element with which the material object is imbued—that expressive form with which Spirit has invested it.

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pendence The art in its every natural retrans-
mission the principle of the Church But as the
form manifests itself only and enormous
limitations it is at first regarded as harmful
and indelible in time The Church the effect
of the edicts follows but as soon as the free
spirit in which art originates advanced to
thought and science a separation ensues.

Further extended further support and experi-
ence and levelling influence the result of the
study of history (the name *A. man* as
they express it) in those works of history
how was done to the human and to the devel-
opment (humanity) the which thus it is the West
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element in the history of man. The toward oc-
casion of the external fact was the fall of
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As a third leading feature demanding our
notice in determining the character of the pe-
riod, might be mentioned that urging of spirit

as the principles of feeling The aim of Co-
lumbus was by no means merely secular
it presented also distinctly religious aspect
the treasures of those rich Indian lands which
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tention to be expended in new Crusades and
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selves were to be converted to Christianity The
realization of the prophetic figure of the earth
led man to perceive that the world was finite
and limited by the Christian religion had been
benefited by the new found in truthfulness of

the magnet enabling it to be something better than mere coasting thus technical appliances make their appearance when a need for them is experienced.

These three events—the so called Revival of Learning the flourishing of the fine arts and the discovery of America and of the passage to India by the Cape—may be compared with that *blush of dawn* which after long storms first betokens the return of a bright and glorious day. This day is the day of universality which breaks upon the world after the long eventful and terrible night of the Middle Ages—a day which is distinguished by science art and inventive impulse—that is by the noblest and highest and which humanity rendered free by Christianity and emancipated through the instrumentality of the Church exhibits as the eternal and veritable substance of its being.

Section III THE MODERN TIME

We have now arrived at the third period of the German world and thus enter upon the period of spirit conscious that it is free inasmuch as it wills the true the eternal—that which is in and for itself universal.

In this third period also three divisions present themselves. First we have to consider the *Reformation* in itself—the all enlightening *sun* following on that blush of dawn which we observed at the termination of the mediæval period next the unfolding of that state of things which succeeded the Reformation and lastly the modern times dating from the end of the last century.

Chapter I The Reformation

The reformation resulted from the *corruption of the Church*. That corruption was not an accidental phenomenon it was not the mere *abuse* of power and dominion. A corrupt state of things is very frequently represented as an abuse—it is taken for granted that the founda-

tion is limited to particularity. A great and general corruption affecting a body of such large and anott

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tion is looked for in the fact that the specific and definite embodiment of deity which it recognizes is sensuous—that the external in a coarse material form is enshrined in its inmost being. (The refining transformation which art supplied was not sufficient.) The higher spirit that of the world has already expelled the spiritual from it—it finds nothing to interest it in the spiritual or in occupation with it thus it retains that specific and a 6

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to the world spirit the latter has already transcended it for it has become capable of recognizing the sensuous as sensuous the merely outward as merely outward it has learned to occupy itself with the finite in a finite way and in this very activity to maintain an independent and confident position as a valid and rightful subjectivity.

The element in question which is innate in the ecclesiastical principle only reveals itself as a corrupting one when the Church has no longer any opposition to contend with—when it has become firmly established. Then its elements are free to display their tendencies without let or hindrance. Thus it is that externality in the Church itself which becomes evil and corruption.

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further its own selfish ends and that all that is required to be done is to remove these adventitious elements. On this showing the institute in question escapes obloquy and the evil that disfigures it appears something foreign to it. But when accidental abuse of a good thing really oc

self in a perfectly disconnected and limited way for purely false and particular purposes. Every last of power, rotors, debauchery, all the forms of barbarous and vulgar corruption, hypocrisy and deception—all this manifested itself in the Church for most of the centuries in it is not submerged and trained by the understanding; it has become free but only in a rough and barbarous way. On the other hand, the virtue which the Church presents since it is negative only in opposition to sensual appetite is but abjectly negative. It does not know how to exercise a moral restraint in the indulgence of pleasures in actual life, though it fits for it but avoidance, renunciation, martyrty.

These contrasts which the Church exhibits—on the one hand, and lust on the other hand, and in elevation of soul that is ready to renounce all worldly things, on the other hand—became still wider in consequence of the energetic position which man is sensible of occupying in his subjective power over outward and material things in the natural world, in which he feels himself free, and so gains for himself an absolute right. The Church whose office it is to save souls from perdition, makes this salvation itself a mere external reliance and now degraded so far as it performs this office in a merely external fashion. The mission of the Church—the highest sanctification which the soul craves—the certainty of its peace with God, that which concerns man's deepest and innermost nature—is referred to man in the most grossly superficial and trivial fashion, to be paid for by mere money. The object of this sale is to procure means for the excess of the objects of this sale was indeed the building of the Peter's that remain in the doctrine of Christian fabrics erected in the metropolis of religion. But as that patron of works of art in Athens and he then the model Athens was built with the money of the allies and us in the loss of both allies and power so the implication of this church in Peter and Michael Ansel Last of figures in the same Church were the documents and the ruin of this profane spiritual edifice.

The union of the German people and the sincerity of the German people is destined to effect the revolution of the honest truth and the impatience of the world. While the rest of the world is urging the way of the East, America—straining every nerve to gain wealth and to conquer the world—will have to encompass the globe and on which it will ever see the end of a world which is looking for that specific embodi-

ment of deity which Christendom had formerly sought in an earthly sepulchre of stone rather in the deeper abyss of the absolute ideality of all that is sensuous and external—in the spirit and the heart—the heart, which, wounded unbreakably by the offer of the most trivial and superficial appliances to satisfy the cravings of that which is innermost and deepest now detects the perversion of the absolute relation of truth in its minutest features and pursues it to an annihilation. Luther's simple doctrine is that the specific embodiment of deity—infinite subjectivity—that is true spirituality Christ—is in no way present and actual in an outward form but as essentially spiritual is obtained only in being reconciled to God, in faith and spirit and enjoyment. These two words express everything. That which this doctrine desiderates is not the recognition of a sensuous object as God, nor even of something merely conceived, and which is not really present but of a reality that is not

Church contentedly wandered, and in which spiritual life was dissipated. This change especially affects the doctrine of works for works include what may be performed under any mental conditions—not necessarily in faith, in one's own soul but as mere external observances prescribed by authority. Faith is by no means a bare assurance respecting mere finite things; an assurance which belongs only to limited mind, as e.g. the belief that such or such a person existed and said this or that, or that the Children of Israel passed dry-shod through the Red Sea—that the trumpets before the walls of Jericho produced as powerful an impression as our cannons for although nothing of all this had been related to us, our knowledge of God would

essentially being. The Lutheran doctrine therefore preserves the entire substance of Catholicism with the exception of all that results from the element of externalism—as far as the Catholic Church insists upon that externality. Luther therefore could not do otherwise than refuse to yield an iota in regard to that doctrine of the Eucharist in which the whole question is con-

centrated Nor could he concede to the Reformed Church that Christ is a mere commemoration a mere reminiscence in this respect his view was rather in accordance with that of the Catholic Church viz that Christ is an actual presence though only in faith and in spirit He maintained that the spirit of Christ really fills the human heart—that Christ therefore is not to be regarded as merely a historical person but that man sustains *an immediate relation to him in spirit*

While then the individual knows that he is filled with the divine spirit all the relations that spring from that vitiating element of externality which we examined above are *ipso facto* abrogated there is no longer a distinction between priests and laymen we no longer find one class in possession of the substance of the truth as of all the spiritual and temporal treasures of the Church but the heart the emotional part of man's spiritual nature is recognized as that which can and ought to come into possession of the truth and this subjectivity is the common property of *all mankind* Each has to accomplish the work of reconciliation in his own soul Subjective spirit has to receive the spirit of truth into itself and give it a dwelling place there Thus that absolute inwardness of soul which pertains to religion itself and freedom in the Church are both secured Subjectivity therefore makes the objective purport of Christianity the doctrine of the Church its own In the Lutheran Church the subjective feeling and the conviction of the individual is regarded as equally necessary with the objective side of truth Truth with Lutherans is not a finished and completed thing the subject himself must be imbued with

the truth
is actualized as subjectivity be placed in feeling only without that objective side we have the standpoint of the merely natural will

In the proclamation of these principles is unfurled the new the latest standard round which the peoples rally—the banner of *free spirit* in dependent though finding its life in the truth and enjoying independence only in it This is the banner under which we serve and which we bear Time since that epoch has had no other work to do than the formal imbuing of the world with this principle in bringing the reconciliation implicit into objective and explicit realiza-

tion Culture is essentially concerned with form the work of culture is the production of the form of universality which none other than thou art Consequently law property social morality government constitutions etc must be conformed to general principles in order that they may accord with the idea of free will and be rational Thus only can the spirit of truth manifest itself in subjective will—in the particular shapes which the activity of the will assumes In virtue of that degree of

manifestation This is the sense in which we must understand the state to be based on religion States and laws are nothing else than religion manifesting itself in the relations of the actual world

This is the essence of the Reformation man is in his very nature destined to be free

At its commencement the Reformation concerned itself only with particular aspects of the Catholic Church Luther wished to act in union with the whole Catholic world and expressed a desire that councils should be convened His theses found

answer to the Protocolumbian notions of the corruption of the Church we may refer to the statements of Catholics themselves bearing upon this point and particularly to

as to particular points was soon extended to the doctrines of the Church and leaving individuals be attacked institutions at large—conventual life the secular lordships of the bishops etc His writings now controverted not merely isolated dicta of the Pope and the councils but the very principle on which such a mode of deciding points in dispute was based—in fact *the authority of the Church* Luther repudiated that authority and set up in its stead the *Bible* and the testimony of the human spirit And it is a fact of the weightiest import that the Bible has become the basis of the Christian Church henceforth each indi-

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individuals the right of denouncing instruction
for himself from that of directing his con-
science in accordance with it. We see a vast
change in the principle by which man's religious
life is guided: the whole system of tradition

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that the latter has a vast number of minor
for their books they

altered the fast and holy days were abolished
Thus there was also a secular reform—a change
affecting the state of things outside the sphere
of ecclesiastical relations. In many places a re-
bellion was raised against the temporal authori-
ties. In Munster the Anabaptists expelled the
bishops and established a government of their
own. And the peasants rose *en masse* to emanci-
pate themselves from the yoke of serfdom. But
the world was not yet ripe for a transformation
of its political condition as a consequence of ec-
clesiastical reformation.

The Catholic Church also was essentially in-
fluenced by the Reformation: the reins of dis-
cipline were drawn tighter, and the greatest oc-
casions of scandal, the most crying abuses were e-

in the life of the ge

uses which the external shape might be
repellent to the heretic and undemanding can be
diminishingly tolerated by the religious sense.
Such boldness fast the substantial truth easily
conquers its difficulties. And even if the
books which have perpetuated the character
of people's books were not so superficial as they
are they would certainly fail in securing that
respect which a book claiming such title ought
to inspire. *Did it* But to object that this dif-
ficulty is no essential feature even should a book
adapted to the purpose in every other respect
be produced every country parson would have
some fault to find with it and think to better
it. In France the number of such books has been
very much less. Great premiums have been
offered to the best obtaining one but from the
times that these occur. Moreover the
existence of people's books presupposes as its
primary condition liberty to read on the part
of the people an liberty which Catholic coun-
tries certainly never fully met with.

The denial of the authority of the Church
ensued. The papacy. The Council of
Trent typified the principles of Catholicism
and made the tradition of the pope's infallibility
Lebanon's last time discussed with Bishop
Bossuet the question of the union of the
churches but the Council of Trent remains the
firm unit of the battle. The *Reformation* became
hostile part of every respect to secular a-
ffairs. The king's difference manifested it
self in the Catholic countries the cen-
sual liberty is dropped. Oppressive conditions
were brought up and the right of the then pro-
prietors assigned. Educational arrangements were

strengthened and a occasion was sought
of declaring its enmity to the scientific pursuits
of the period. The celebrated Copernicus had
demonstrated that the earth and the planets re-
volve around the sun but the Church declared
him a heretic.

conclusion
pardon for the offence on his knees. The Greek
Liturgy was not made the basis of culture
education was entrusted to the Jesuits. Thus
does the spirit of the Catholic world in general
sink beneath the spirit of the age.

Here an important question arises in esti-
mation why the Reformation was limited to ce-
tain nations and why it did not permeate the
whole Catholic world. The Reformation origi-

and the Rhine countries there were many cen-
vents and bishoprics as also many free imperial
cities and the rejection of the
Reformation very much depended on the influ-
ences which these ecclesiastical and civil bodies
represented. Indeed for we have already no-

ticed that the Reformation was a change influencing the political life of the age as well as its religious and intellectual condition. We must further observe that authority has much greater weight in determining men's opinions than people are inclined to believe. There are certain fundamental principles which men are in the habit of receiving on the strength of authority and it was mere authority which in the case of many countries decided for or against the adoption of the Reformation. In Austria in Bavaria in Bohemia the Reformation had already made great progress and though it is commonly said that when truth has once penetrated men's souls it cannot be rooted out again it was indisputably stifled in the countries in question by force of arms by stratagem or persuasion. The Slavonic nations were agricultural. This condition of life brings with it the relation of lord and serf. In agriculture the agency of nature predominates human industry and subjective activity are on the whole less brought into play in this department of labour than elsewhere. The Slavonians therefore did not attain so quickly or readily as other nations the fundamental sense of pure individuality—the consciousness of universality—that which we designated above as political power and could not share the benefits of dawning freedom. But the Romanic nations also—Italy Spain Portugal and in part France—were not imbued with the Reformed doctrines. Physical force perhaps did much to repress them yet this alone would not be sufficient to explain the fact for when the spirit of a nation craves anything no force can prevent its attaining the desired object nor can it be said that these nations were deficient in culture on the contrary they were in advance of the Germans in this respect. It was rather owing to the fundamental character of these nations that they did not adopt the Reformation. But what is this peculiarity of character which hindered the attainment of spiritual freedom? We answer the pure inwardness of the German nation was the proper soil for the emancipation of spirit the Romanic nations on the contrary have maintained in the very depth of their soul—in their spiritual consciousness—

the Italians the Spaniards possess more determination of character that they pursue a settled aim (even though it have a fixed idea for its object) with perfectly clear consciousness and the greatest attention that they carry out a plan with great circumspection and exhibit the greatest decision in regard to specific objects. The French call the Germans *entiers* entire &c stubborn they are also strangers to the whimsical originality of the English. The Englishman attaches his idea of liberty to the special he does not trouble himself about the understanding but on the contrary feels himself so much the more at liberty the more his course of action or his license to act contravenes the understanding &c runs counter to general principles. On the other hand among the Romanic peoples we immediately encounter that internal schism that holding fast by an abstract principle and as the counterpart of this an absence of the totality of spirit and sentiment which we call heart there is not that motive

unity to particular interests and the infinity that belongs to spirit is not to be looked for there. Their inmost being is not their own. They leave it as an alien and indifferent matter and are glad to have its concerns settled for them by another. That other to which they leave it is the Church. They have indeed something to do with it themselves but since that which they have to do is not self-originated and self-prescribed not their very own they are content to leave the affair to be settled in a superficial way. *Eh bien* said Napoleon we shall go to Mass again and my good fellows will say That is the word of command! This is the leading feature in the character of these nations—the separation of the religious from the secular interest &c from the special interest of individuality and the ground of this separation lies in their inmost soul which has lost its independent entireness of being its profoundest unity. Catholicism does not claim the essential direction of the secular religion remains an indifferent matter on the one side while the other side of life is dissociated from it and occupies a sphere exclusively its own. Cultivated Frenchmen therefore feel an antipathy to Protestantism because it seems to them something pedantic dull minutely captious in its morality since it requires that spirit and thought should be directly engaged in religion in attending Mass

1. We cannot deny that the French

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establishments and episcopal jurisdiction etc. The reconciliation between God and the world was limited in the first instance to an abstract form: it was not yet expanded into a system by which the moral world could be regulated.

In the first instance this reconciliation must take place in the individual soul: must be realized by feeling the individual must gain the assurance that the spirit dwells in him—that in the language of the Church a brokenness of heart has been experienced and that divine grace has entered into the heart thus broken. By nature man is not what he ought to be: only through a transforming process does he arrive at truth. The general and speculative aspect of the matter is just this—that the human heart is not what it should be. It was then required of the individual that he should know what he is in himself: that is the teaching of the Church insisted upon man's becoming conscious that he is evil. But the individual is evil only when the natural manifests itself in mere sensual desire—when an unrighteous will presents itself in its untamed untrained violent shape: and yet it is required that such a person should know that he is depraved and that the good spirit dwells in him: in fact he is required to have a direct consciousness of and to experience that which was presented to him as a speculative and implicit truth. The reconciliation having thus summed itself

in the individual's consciousness, he is required to know himself as evil. The most simple souls the most innocent natures were accustomed in painful introspection to observe the most secret workings of the heart with a view to a rigid examination of them. With this duty was combined that consciousness that divine grace found an entrance into his soul. In fact the important distinction between the knowledge of abstract truth and the knowledge of what has actual existence was left out of sight. Men became the victims of a tormenting uncertainty as to whether the good spirit has an abode in them: and it was deemed indispensable that the entire process of spiritual transformation should become perceptible to the individual himself. An echo of this self-tormenting process may still be traced in much of the religious poetry of that time: the Psalms of David which exhibit a similar character were then introduced as hymns into the ritual of Protestant Churches. Protestantism took this

turn of minute and painful introspection possessed with the conviction of the importance of the exercise and was for a long time characterized by a self-tormenting disposition and an aspect of spiritual wretchedness which in the present day has induced many persons to enter the Catholic pale: that they might ex- h

inwardly based or more refined selection upon the character of human actions was introduced into the Catholic Church also. The Jesuits analysed the first rudiments of volition (*tellectus*) with as painful minuteness as was displayed in the pious exercises of Protestantism: but they had a science of casuistry which enabled them to discover a good reason for everything and to get rid of the burden of guilt which this rigid investigation seemed to aggravate.

With this was connected another remarkable phenomenon common to the Catholic with the Protestant world. The human mind was driven into the inward the abstract and the religious element was regarded as utterly alien to the secular. That lively consciousness of his subjective life and of the inward origin of his volition that had been awakened in man brought with it the belief in evil as a vast power the sphere of whose malign dominion is the secular. This belief presents a parallelism with the view in which the sale of indulgences originated: for as eternal salvation could be secured for money or by paying the price of one's salvation through a compact made with the Devil: the riches of the world and the unlimited gratification of desires and passions could be secured. Thus arose that famous legend of Faust who in disgust at the unsatisfactory character of speculative science is said to have plunged into the world and purchased all its glory at the expense of his salvation.

Faust if we may trust the poet had the enjoyment of all that the world could give in exchange for his soul's weal: but those poor women who were called *witches* were reputed to get nothing more by the bargain than the gratification of a petty revenge by making a neighbour's cow go dry or giving a child the measles. But in awarding punishment it was not the magnitude of the injury in the loss of the milk or the sickness of the child that was considered: it was the abstract power of the Evil One in them that was attacked. The belief in this abstract special power whose dominion is the world—in the Devil and his devices—occasioned an incalculable number of trials for witchcraft both in

Catholic and Protestant countries. It was impossible to prove the guilt of the accused; they were only suspected. It was therefore only a direct knowledge of which this fury against the evil principle professed to be based. It was in fact a direct force to evidence but

spread among the nations in the same way with the fury of a pestilence. The main impulse was suspicion. The principle of suspicion assumes a similarly terrible shape during the sway of the Roman emperors and under Robespierre. Reign of Terror when men re-dispositioned by any sort of error or exposure

the Jesuit wrote a treatise against the

in proceedings of this kind. I think it was only applied once was continued until a confession was extorted. If the accused faints under this torture it was said that the Devil was giving them sleep. If a rule is perceived it was said that the Devil was laughing at them. If they held out steadfastly the Devil was upholding their power. These persecutions spread like epidemic sickness through Italy, France, Spain, and Germany. The earnest remonstrances of enlightened men, which were directed to all ready produced a considerable effect. But it was Thomas Aquinas a professor of Hall who first proposed the principle of superstitious which served to do it. The entire phenomenon in itself is remarkable when we reflect that we have to give up the idea of this fearful barbarism (even in the East). So we have been blindfolded to Glarus in which the Amberg Catholic persecutions were directed against heretics as well as against Protestants. I might say indeed that they were played in a government which believed in heretics was regarded as other than the modern law of the evil—a possession similar to the

Let us see the facts of the subjectiveness which are the basis of the culture of the nation. On the other hand and the divine fundamental principle the recognition of the universal laws of freedom. This is the second and the essential principle.

Chapter Influence of the Reformation on Political Development

In tracing the course of the political development of the period, we observe in the first place the consolidation of monarchy and the monarch invested with an authority emanating from the state. The incipient stage in the rise of royal power and the commencement of that unity which the states of Europe attained, belong to still earlier period. While these changes were going forward, the entire body of private obligations and rights which had been handed down from the middle age still retained validity. Infinitely important is this form of private rights which the organic constituents of the executive power of the state have assumed. At the

the session of

sovereigns further restricted by the of private law. This gives the state an immovable character. The fact that Germany was an elective empire tended to being consolidated into one state and for the same reason Poland has remained so. The state must have a final decision will but an individual is to be the final deciding power. He must be so in direct and natural way not as determined by chance and therefore laws etc. Everywhere the free Germans the oracle was the external power which decided their policy in critical occasions here but this is the rule—something independent of a yearning for union. But the circumstance that the highest station in a monarchy is assigned to a family is in itself a fact that the family is the principle of unity of that family. As such that sovereignty would seem to be desirable but notice the fact of division of power is opposed to the principle of the state the rights of the monarchy and his family required to be more strictly defined. Sovereign possession is not a privilege of the individual ruler but is assigned to the dynasty of family—a trust and the states of the realm possess sovereignty that that trust shall be fully discharged by the monarch to guard the unity of the body politic. Thus the royal possession is a privilege denotes a kind of private property private possession of estates and mesne jurisdiction to which has become state property—a function pertaining to and in itself with the state.

Equally important and connected with that just outlined is the change of executive powers functions duties and rights which naturally be

long to the state but which had become private property and private contracts or obligations—into possession conferred by the state. The rights of seigneurs and barons were annulled and they were obliged to content themselves with official positions in the state. This transformation of the rights of vassals into official functions took place in the several kingdoms in various ways. In France e.g. the great barons who were

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pashas a body of troops with the revenues thence derived—troops which they might at any moment bring into the field against the king—were reduced to the position of mere landed proprietors or court nobility and those pashalics became offices held under the government or the nobility were employed as officers—generals of the army an army belonging to the state. In this aspect the origination of standing armies is so important an event for they supply the monarchy with an independent force and are as necessary for the security of the central authority against the rebellion of the subject individual as for the defence of the state against foreign enemies. The fiscal system indeed had not as yet assumed a systematic character—the revenue being derived from customs taxes and tolls in countless variety besides the subsidies and contributions paid by the estates of the realm in return for which the right of presenting a statement of grievances was conceded to them as is now the case in Hungary.

In Spain the spirit of chivalry had assumed a very beautiful and noble form. This chivalric spirit thus knightly dignity degraded to a mere inactive sentiment of honour has attained notoriety as the Spanish *grandeza*. The *grandees* were no longer allowed to maintain troops of their own and were also withdrawn from the command of the armies destitute of power they had to content themselves as private persons with an empty title. But the means by which the royal power in Spain was consolidated was the *Inquisition*. This which was established for the persecution of those who secretly adhered to Judaism and of Moors and heretics soon assumed a political character being directed against the enemies of the state. Thus the Inquisition confirmed the despotic power of the king it claimed supremacy even over bishops and archbishops and could cite them before its tribunal. The frequent confiscation of property one of the most customary penalties tended to enrich the treasury of the state. Moreover the Inquisition was a tribunal which took cognizance of mere suspicion and

while it consequently exercised a fearful authority over the clergy it had a peculiar support in the national pride. For every Spaniard wished to be considered Christian by descent and this species of vanity fell in with the views and tendency of the Inquisition. Particular provinces of the Spanish monarchy as e.g. Aragon till retained many peculiar rights and privileges but the Spanish kings from Philip II downward proceeded to suppress them altogether.

It would lead us too far to pursue in detail the process of the depression of the aristocracy in the several states of Europe. The main scope of this depressing process was as already stated the curtailment of the private rights of

language was in the interest of both the king and the people. The powerful barons seemed to constitute an intermediate body charged with the defence of liberty but properly speaking it was only their own privileges which they maintained against the royal power on the one hand and the citizens on the other hand. The barons of England extorted Magna Charta from the king but the citizens gained nothing by it on the contrary they remained in their former condition. Polish liberty too meant nothing more than the freedom of the barons in contraposition to the king the nation being reduced to a state of absolute serfdom. When liberty is mentioned we must always be careful to observe whether it is not really the assertion of private interests which is thereby designated. For although the nobility were deprived of their sovereign power the people were absolute.

jection were properly declared utterly incapable of possessing property partly subjected to a condition of bond service which did not permit of their freely selling the products of their industry. The supreme interest of emancipation from this condition concerned the power of the state as well as the subjects—that emancipation which now gave them as citizens the character of free individuals and determined that what was to be performed for the commonwealth should be a matter of just allotment not of mere chance. The aristocracy of possession maintains that possession against both the king against the power of the state at large and against individuals. But the aristocracy have a position assigned them as the support of the throne as occupied and active on behalf of the state and the common

was, and at the same time as in the freedom of the citizens. This in fact is the prerogative of that class which forms the link between the sovereign and the people—to understand the discern and to give the first impulse to the which is intrinsically rational and universal and this recognition of and occupation with the universal must take the place of positive political right. This subject on to the head of the state of that intermediate power which laid down to positive authority was now accomplished, but this did not in itself the emancipation of the subject class. This took place only at a later date when the idea of right in and for itself arose in men's minds. Then the sovereigns relying on their respect the peoples vanquished the cause of righteousness but when they united with the barons or when the latter maintained the freedom against the kings the oppressions rather wrongs continued.

We observe also as an essential feature now first presenting itself in the political aspect of

political matter the Italians. But we have to observe also that the wars in which Germany engaged were not particularly honourable to it allowed Burgundy Lorraine Alsace and other parts of the empire to be wrested from it. From these wars between the various political powers there arose common interests and the object of that community of interest was the maintenance of severalty—the preservation to the several states of their independence—a fact the balance of power. The motive to this was of a decidedly practical kind—the protection of the several states from conquest. The union of the states of Europe as the means of shielding individual states from the violence of the powerful—the preservation of the balance of power had now taken the place of that general aim of the elder times the defence of Christendom whose centre was the papacy. This new political motive was necessarily accompanied by diplomatic co-dition—one in which all the members of the great European system howeve

Several princes in succession seemed to threaten the stability of the balance of power in Europe. When this combination of states was just commencing Charles V was aiming at universal monarchy so he was Emperor of Germany and King of Spain to boot the Netherlands and Italy acknowledged his sway and the whole wealth of America flowed into his coffers. With this enormous power which like the continents of force in the case of private property had been accumulated by the most felicitous combinations of political dexterity among

French the Spaniards and at a late date of the Austrians I find absolute disintegration and dismemberment has always been an essential feature in the national character of the inhabitants of Italy in ancient as well as in modern times. Their stubborn individuality was exaggerated as in the rivalry of the Roman dominion but as soon as this bold was broken the rigid character disappeared and the strength of the Italian times as if disappeared in them bold fun on their impossible after having escaped from a selfishness of the most monstrous degree and which displayed a perverse nature in crimes of every description on the Italian attained taste of the first order thus their civilization the mitigation of their selfishness reached only the grade of being that fratricide—the high unity I thought consequently even in poetry and song the Italian nature is different from ours. In conversation they pour out their feelings in art and the ecstatic enjoyment of the Enjambement I so unbowed the taste must be an as if imparat different inly cas-

XIV. Though that depressor of the grandees of his kingdom which Richelieu and after him Mazarin had accomplished, he had become an absolute sovereign France too had the consciousness of intellectual superiority in a refinement of culture surpassing anything of which the rest of Europe could boast. The pretensions of Louis were founded not on a tent of dominion (as was the case with Charles V) so much

as on that culture which distinguished his people and which at that time made its way every where with the language that embodied it and was the object of universal admiration they could therefore plead a higher justification than those of the German Emperor But the very rock on which the vast military resources of Philip II had already foundered the heroic resistance of the Dutch proved fatal also to the ambitious schemes of Louis Charles XII also presented a remarkably menacing aspect but his ambition had a quixotic tinge and was less sustained by intrinsic vigour Through all these storms the nations of Europe succeeded in maintaining their individuality and independence

An external relation in which the states of Europe had an interest in common was that sustained to the *Turks*—the terrible power which threatened to overwhelm Europe from the east The *Turks* of that day had still a sound and vigorous nationality whose power was based on conquest and which was therefore engaged in constant warfare or at least admitted only a temporary suspension of arms As was the case among the *Franks* the conquered territories were divided among their warriors as personal not heritable possessions when in later times the principle of hereditary succession was adopted the national vigour was shattered The flower of the *Osman* force the *Janizaries* were the terror of the Europeans Their ranks were recruited from a body of *Christian* boys of hand some and vigorous proportions brought together chiefly by means of annual conscriptions among the *Greek* subjects of the *Porte* strictly educated in the *Moslem* faith and exercised in arms from early youth Without parents without brothers or sisters without wives they were like the monks an altogether isolated and terrible corps The eastern European powers were obliged to make common cause against the *Turks*—the *Austria* *Hungary* *Venice* and *Poland* The

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ance the emoluments are attached (*jura stolæ*) Moreover a Catholic government is bound to be the *brachium seculare* of the Church the *Inquisition* e.g. never put a man to death but simply declared him a heretic as a kind of jury he was then punished according to

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principles and estates that had been the property of the Church out of the hand of the heretics In Germany however the condition of things was favorable to Protestantism in as far as the several territories which had been imperial fiefs had become independent principalities But in countries like *Austria* the princes were indifferent to Protestants or even hostile to them and in *France* they were not safe in the exercise of their religion except as protected by fortresses War was the indispensable preliminary to the security of Protestants for the question was not one of simple conscience but involved decisions respecting public and private property which had been taken possession of in contravention of the rights of the Church and whose restitution it demanded A condition of absolute mistrust supervened absolute because mistrust bound up with the religious conscience was its root The Protestant princes and towns formed at that time a feeble union and the defensive operations they conducted were much feeble still After they had been worsted *Maurice* the *Elector of Saxony* by an utterly unexpected and adventurous piece of daring extorted a peace itself of doubtful interpretation and which left the real sources of embitterment altogether untouched It was necessary to fight out the battle from the very beginning This took place in the *Thirty Years War* in which first *Denmark* and then *Sweden* undertook the cause of freedom The former was a small

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pect was too intimately connected with secular interests not to occasion secular complications and political contentions respecting political possession The subjects of Catholic princes become Protestant have and make claims to ecclesiastical property change the nature of the tenure and repudiate or decline the discharge of those ecclesiastical functions to whose due perform

Consequently the *ne plus ultra* of in-
 vention of subjectiveness is the unit. Man is
 at free when he is not thinking of except when
 this is the relation to the world
 around him as a other alien form of being.
 This communion, the penetration of the ego
 and beyond other forms of being with the
 more profound self-certainly direct in olves
 the harmonization of Being, so it must be ob-
 served that the unity of Being with its object
 is only present, for reason is the
 external basis of consciousness as well as of
 the external and natural. Thus that which pre-
 sents itself as the object of thought is no longer
 an absolutely distinct form, hence not fan-
 tasy and grossly substantial nature.

Thought is the grade to which spirit has in-
 vaded. It lives the harmony of Being in
 its essence, challenging the external world
 to exhibit the same reason why the subject pos-
 sesses. Spirit perceives that nature—the world
 —is also an embodiment of reason. An in-
 stinct in the contemplation and comprehension of
 the present world became universal. Nature
 embodies universality inasmuch as it is in things,
 their laws, forms, general power, gradation,
 reciprocal presentation. Thus experimental
 science became the science of the world for ex-
 perimental science in olves on the one hand,
 the observation of phenomena on the other.
 But also the discovery of the law the essen-
 tial being the hidden force that causes those
 phenomena—thus reducing the data supplied by
 nature on its laws and principles into a theo-
 retical essence was first extricated from that
 solitary of nature, which unsettles every-
 thing by Descartes. A was the pure Ger-
 man reason among whom the principle of first
 manifested itself so it was by the Romantic
 to establish the history of the world which has
 been assigned them above, to that of internal
 science more readily conducted them) was first
 comprehended. Experimental science therefore
 very soon made its way among them (in com-
 mon with the Protestant English) but especially
 among the Germans. It seemed to men as if God
 had but just created the moon and stars, plants
 and animals as if the laws of the universe were
 now being laid off for the first time for only then
 did they feel real interest in the universe when
 they recognized their own reason in the reason
 which pervades it. The human eye became clear
 perceived on earth, the universe and its interpreta-
 tion. The discovery of the laws of nature enabled
 men to contend against the monstrous supersti-

tion of the time, as also against all notions of
 mighty alien powers which magic alone could
 conquer. The invention was even ventured on
 and that by Catholics not less than by Protes-
 tants that the external, with which the church
 rested upon associating superhuman virtue
 was external and material and nothing more—
 that the Holy was simply *dough* the relics of the
 saints mere bones. The independent authority
 of subjectivity was maintained against belief
 founded on authority and the laws of nature
 were recognized as the only bond connecting
 phenomena with phenomena. Thus all miracles
 were disallowed for nature is a system of known
 and recognized laws man is at home in it and
 that which passes for truth in which he finds him-
 self at home he is free through the acquaintance
 he has gained with nature. Nor was thought less
 vigorously directed to the practical side of things
 right and morality came to be looked upon as
 having their foundation in the actual present
 will of man, whereas formerly it was referred
 only to the command of God enjoined *ab extra*,
 written in the Old and New Testament, or ap-
 pearing in the form of particular right in old
 parchments as *privilegia* in immemorial
 compacts. What the nations acknowledged as in-
 ternational right was deduced empirically from
 observation (as in the work of Grotius) then,
 the source of the existing civil and political law
 was looked for after Cicero's fashion, in those
 instincts of men which nature has planted in
 their hearts e.g. the social instinct next the
 sense of property.

trained, but, on the other hand, that in-
 vention was the instrument of carrying out the
 general objects of the state in opposition to mere
 positive or prescriptive claims. Frederick II may
 be mentioned as the ruler who inaugurated this
 new epoch in the sphere of practical life—that

is and as having been the first sovereign who
 kept the general interest of the state steadily in
 view, ceasing to pay any respect to particular
 interests when they stood in the way of the com-
 mon weal. His immortal work is a domestic code
 the Prussian municipal law. He was the head of
 household energetically provides and governs
 with a view to the weal of that household and

of free cities the bulwarks of Germany and of flourishing provinces and retained them undisturbed

This constitution which completely terminated the career of Germany as an empire was chiefly the work of Richelieu by whose assistance—Romish cardinal though he was—religious freedom in Germany was preserved. Richelieu with a view to further the interests of the state whose affairs he superintended adopted the exact opposite of that policy which he promoted in the case of its enemies for he reduced the latter to political impotence.

Protestant party His fate has consequently resembled that of many great statesmen inasmuch as he has been cursed by his countrymen while his enemies have looked upon the work by which he ruined them as the most sacred goal of their desires—the consummation of their rights and liberties.

The result of the struggle therefore was the forcibly achieved and now politically ratified coexistence of religious parties forming political communities whose relations are determined according to prescriptive principles of civil or of private right.

The Protestant Church increased and so perfected the stability of its political existence by the fact that one of the states which had adopted the principles of the Reformation raised itself to the position of an independent European power. This power was destined to start into a new life with Protestantism. Prussia which making its appearance at the

Thirty Years War was the struggle by which that consolidation was accomplished. Frederick II demonstrated the independent vigour of his power by resisting that of almost all Europe—the union of its leading states. He appeared

war was indeed in itself not a war of religion but it was so in view of its ultimate issues and in the disposition of the soldiers as well as of the potentates under whose banner they fought. The Pope consecrated the sword of Field Marshal Daun and the chief object which the allied powers proposed to themselves was the crushing of Prussia as the bulwark of the Protestant Church. But Frederick the Great not only made Prussia one of

the great powers of Europe as a Protestant power but was also a philosophical king—an altogether peculiar and unique phenomenon in modern times. There had been English kings who were subtle theologians contending for the principle of absolutism. Frederick on the contrary took up the Protestant principle in its secular aspect and though he was by no means favorable to religious controversies and did not side with one party or the other he had the consciousness of universality which is the profoundest depth to which spirit can attain and is thought conscious of its own inherent power.

Chapter 3 *The Eclaircissement and Revolution*

Protestantism had introduced the principle of subjectivity importing religious emancipation and inward harmony but accompanying this with the belief in subjectivity as evil and in a power whose embodiment is the world. With in the Catholic pale also the casuistry of the Jesuits brought into vogue interminable investigations as tedious and

this dialectic which unsettles all particular judgments and opinions transmuting the evil into good and good into evil left at last nothing remaining but the mere action of subjectivity itself the abstractum of spirit—thought. Thought

the matter of investigation the doctrine of the church remained an ultramundane affair in the Protestant theology also spirit still sustained a relation to the ultramundane for on the one side we have the will of the individual—the spirit of man—I myself and on the other the grace of God the

utter and absolute freedom for the pure ego like pure light is with itself alone thus that which is diverse from itself sensuous or spiritual no longer presents an object of dread for in contemplating such diversity it is inwardly free and can freely confront it. A practical interest makes use of consumes the other a theoretic assured th

categories were indeed connected one of the

virtue of the r being the Lord's anointed is divine and holy on the contrary their will is regarded as deriving of respect only so far as in association with reason it wisely contemplates right justice and the weal of the community. The principle of thought the fore had been so far cohabited already moreover the Protestant world had a conviction that in the har-

how essential characteristic is the same as freedom. That principle remains formless use it generated with abstract thought—with the understanding which is primarily the self-consciousness of pure reason and as direct abstract. As yet nothing further is developed from it, for it still maintains an adverse position to religion, even to the concrete absolute substance of the universe.

As respects the second question—why the French immediately passed over from the theoretical to the practical while the Germans contented themselves with theoretical abstraction among the said the French are hot-headed but this is a superficiality the fact is that the formal principle of philosophy in Germany encounters concrete real world in which spirit finds no rest. For the one had it was the *Potential world* itself which had reached so far in thought as to realize the absolute culmination of self-consciousness on the other hand, *Potential* men enjoy with respect to the moral ideal latencies of the real world traquillity in the disposition of men—a settlement which, notwithstanding the same thing with regard to the fountain of all the equitable arrangements that prevail with regard to private right and the constitution of the state. In Germany the *laissez-faire* was cited in the

already present

opposed to religion that is to its superstition and the truth. That formal individual will is a virtue of the abstract position just mentioned made the basis of political theory right in so far as it is that which the law wills and the will in

starting point and each will is represented as individual.

An intellectual principle was thus discovered to serve as a basis for the state—on which does not like previous principle belong to the sphere of opinion such as the social impulse the desire of security property etc. nor owe its origin to the religious sentiment as did

those pernicious titles of nobility of the clergy the pauper and the lazy had been a dydoe with their no dead of enrichment and health attached to the curb and constraint put upon liberty—a contrast which is the end of all virtues. There was not that unpeakingly hurtful form of inequality which rises from the inferiority of ritual power with these laws that were in the domain of kings and the doctrine that the arbitrary will of princes is

be distinguished from it. Thus said accordingly to the profound depths of being and freedom. The essence of the principle is with essential basis of the political fabric and philosophy has thereby become dominant. It has been said that the *Fichte* *Rechtslehre* is a limited form of philosophy and it is not without reason that philosophy has been called Weltweh that is to say not only truth and facts but as the presence of things but the truth in its living form as exhibited in the affairs of the world. We should not therefore conclude the

of his dependents—of this he has given a unique specimen

These general conceptions deduced from actual and present consciousness the laws of nature and the substance of what is right and good have received the name of *reason*. The recognition of the validity of these laws was designated by the term *éclaircissement* (*Aufklärung*). From France it passed over into Germany and created a new world of ideas. The absolute criterion taking the place of all authority based on religious belief and positive laws of right (especially political right) is the verdict passed by spirit itself on the character of that which is to be believed or obeyed. After a free investigation in open day Luther had secured to mankind spiritual freedom and the reconciliation in the concrete he triumphantly established the position that man's eternal destiny must be wrought out *in himself*. But the *import* of that which is to take place in him what truth is to become vital in him was taken for granted by Luther as something already given something revealed by religion. Now the principle was set up that this import must be capable of actual investigation something of which I can gain an inward conviction and that to this basis of inward demonstration every dogma must be referred.

This principle of thought makes its appearance in the first instance in a general and abstract form and is based on the axiom of contradiction and identity. The results of thought are thus posited as finite and the *éclaircissement* utterly banished and extirpated all that was speculative from things human and divine. Although it is of incalculable importance that the multiform complex of things should be reduced to its simplest conditions and brought into the form of universality yet this still abstract principle does not satisfy the living spirit the concrete human soul.

This formally absolute principle brings us to the last stage in history our world our own time.

Secular life is the positive and definite embodiment of the spiritual kingdom—the kingdom of the *will* manifesting itself in outward existence. Mere impulses are also forms in which the inner life realizes itself but these are transient and disconnected they are the ever changing applications of volition. But that which is just and moral belongs to the essential independent intrinsically universal will and if we would know what right really is we must abstract from inclination impulse and desire as the particular i.e. we must know what the will is in itself. For benevolent charitable so-

only when it does not will anything alien extrinsic foreign to itself (for as long as it does so it is dependent) but wills itself alone—wills the will. This is absolute will—the volition to be free. Will making itself its own object is the basis of all right and obligation—consequently of all statutory determinations of right categorical imperatives and enjoined obligations. The freedom of the will *per se* is the principle and substantial basis of all right—is itself absolute inherently eternal right and the supreme right in comparison with other specific rights nay it is even that by which man becomes man and is therefore the fundamental principle of spirit. But the next question is how does will assume a definite form? For in willing itself it is nothing but an identical reference to itself but in point of fact it wills something specific there are we know distinct and special duties and rights. A particular application a definite form of will is desiderated for pure will is its own object its own application which as far as this showing goes is no object no application. In fact in this form it is nothing more than *formal* will. But the metaphysical process by which this abstract will develops itself so as to attain a definite form of freedom and how rights and duties are evolved therefrom this is not the place to discuss. It may however be remarked that the same principle obtained speculative recognition in Germany in the Kantian philosophy. According to it the simple unity of self consciousness the ego constitutes the absolutely independent freedom and is the fountain of all general conceptions i.e. all conceptions elaborated by thought—theoretical reason and likewise of the highest of all practical determinations—practical reason as free and pure will and rationality of will is none other than the maintaining one's self in pure freedom—willing this and thus alone—right purely for the sake of right duty purely for the sake of duty. Among the Germans this view assumed no other form than that of tranquil theory but the French wished to give it practical effect. Two questions therefore suggest themselves. Why did this principle of freedom remain merely formal? and why did the French alone and not the Germans set about realizing it?

With the formal principle more significant

and were dead connected one of the

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As respects the second question—why the French immediately passed over from the theoretical to the practical while the Germans content themselves with theoretical abstractions—it might be said the French were hot-headed but this is a superficial solution the facts are that the formal principle of philosophy in Germany encounters a concrete world which spirit finds unsatisfactory and in which conscience is at rest. For on the one hand, the Protestant world is left where it advanced far into the eighteenth century to realize the absolute culmination of self-consciousness on the other hand, Protestantism joys with respect to the moral and legal relations of the real world a tranquility confidence in the dispensation of time which constitutes gone and the one thing with religion the foundation of all the equitable requirements that prevail with regard to private

abstract consciousness. And the Protestant religion does not admit of two kinds of consciences while in the Catholic world the holy stands on the other hand deah t action

unity is not an independently substantial unity

absolute

A telling principle was thus discovered to serve as a basis for the state—one which does not like previous principles belong to the sphere of opinion such as the social impulse the desire for security for property etc nor owe its origin to the religious sentiment as does that of the divine appointment of the government—power—but the principle of ecclesiasticity which is identity with myself consciousness stopping short however of that of truth which needs to be digested from the vast discovery regarded to the profound depths of being and freedom. The consciousness of the spiritual is now the ethical basis of the political fabric and philosophy has thereby become dominant. It has been said that the French Revolution resulted from philosophy and that it was the ethical philosophy that has been called West which has the truth of itself truth as the presence of the great lot in its living form exhibited in the affairs of the world. While the truth of the ethical

in the prominent ecclesiastical statutes of the Holy Trinity and Lazarus had been dyed in the blood of the dead weight of numbers which checked the church and the church put upon the altar saint his hands and the children of the

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assertion that the Revolution received its first impulse from philosophy. But this philosophy is in the first instance only abstract thought, not the concrete comprehension of absolute truth—intellectual positions between which there is an immeasurable chasm.

The principle of the freedom of the will therefore asserted itself against existing right. Before the French Revolution it must be allowed the power of the *grands* had been diminished by Richelieu, and they had been deprived of privileges, but like the clergy they retained all the prerogatives which gave them an advantage over the lower class. The

irrational state of things, and one with which the greatest corruption of morals of spirit was associated—an empire characterized by destitution of right and which when its real state begins to be recognized becomes shameless destitution of right. The fearfully heavy burdens that pressed upon the people, the embarrassment of the government to procure for the court the means of supporting luxury and extravagance gave the first impulse to discontent. The new spirit began to agitate men's minds, oppression drove men to investigation. It was perceived that the sums extorted from the people were not expended in furthering the objects of the state but were lavished in the most unreasonable fashion. The entire political system appeared one mass of injustice. The change was necessarily violent because the work of transformation was not undertaken by the government. And the reason why the government did not undertake it was that the court, the clergy, the nobility, the parliaments themselves were unwilling to surrender the privileges they possessed, either for the sake of expediency or that of abstract right, moreover because the government as the concrete centre of the power of the state could not adopt as its principle abstract individual wills and reconstruct the state on this basis, lastly because it was Catholic and therefore the idea of freedom—reason embodied in laws—did not pass for the final absolute obligation, since the holy and the religious conscience are separated from them. The conception, the idea of right asserted its authority *all at once* and the old framework of it is

stood in the firmament and the planets revolved around him, had it been perceived that man's existence centres in his head, in thought inspired by which he builds up the world of reality. Anaxagoras had been the first to say that *nous* governs the world, but not until now had man advanced to the recognition of the principle that thought ought to govern spiritual reality. This was accordingly a glorious mental dawn. All thinking beings shared in the jubilation of this epoch. Emotions of a lofty character stirred men's minds at that time, a spiritual enthusiasm thrilled through the world as if the reconciliation between the divine and the secular was now first accomplished.

The two following points must now occupy our attention: 1st The course which the revolution in France took. 2d How that revolution became world historical.

1. Freedom presents two aspects: the one concerns its substance and purport—its objectivity—the thing itself; the other relates to the form of freedom, involving the consciousness of his activity on the part of

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his, it being his interest that the result in question should be attained. The three elements and powers of the state in actual working must be contemplated according to the above analysis, their examination in detail being referred to the

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long, *poss* of property and freedom of person. Those relics of that condition of servitude which the feudal relation had introduced are hereby swept away, and all those fiscal ordinances which were the bequest of the feudal law, its tithes and dues are abrogated. Real liberty requires moreover freedom in regard to trades and professions, the permission to every one to use his abilities without restriction and the free admission to all offices of state. This is a summary of the elements of real freedom and which are not based on feeling, for feeling allows of the continuance even of serfdom and slavery, but on the thought and self-consciousness of man recognizing the spiritual character of his existence.

(2) But the agency which gives the laws practical effect is the government, generally Government is primarily the formal execution of the laws and the maintenance of their authority in respect to foreign relations it prosecutes the interest of the state, that is it assists

tion was to be based. Never since the sun had

independence of the nation as an individual against other nations. Lastly it has to provide for the internal weal of the state and all its duties—what is called administration. If it is not enough that the citizen is allowed to pursue truth or calling it must also be a source of profit him. It is not enough that men are permitted to use their powers they must also find an opportunity of applying them to purpose. Thus the state in itself is a body of abstract principles and practical application of them. This application must be the work of a subjective will, a will which resolves and decides. Legislation is the enactment and positive enactment of these statutory arrangements is an application of such general principles. The next step then, consists in determination and execution. Here then the question presents itself what is the decision will to be? The ultimate decision is the prerogative of the monarch but if the state based on liberty the many wills find individuals also desire to have share in political decisions. But the many are all and it seems but a poor expedient, rather monstrous inconsistency to allow only a few to take part in those decisions. Each wishes that his will should have share in determining what is to be law for him. The law assumes to be the deputies but they are in only the disposers of the many. Nor is the sway of the majority over the minority a less palpable inconsistency.

(3) This collision of subjective wills leads therefore to the consideration of a third point, that of discipline—an *ex tunc* quiescence in the laws, or the mere customary observance of them, but the cordial recognition of laws and the conscious assent as in principle fixed and immutable and of the supreme obligation of individuals to subject their particular wills to them. There may be various opinions and views respecting laws on the part of the government but there must be disposition on the part of the citizens to regard all these opinions as subordinate to the substantial interest of the state and to rest upon them further than that interest will all the more over nothing must be considered higher and more sacred than good will towards the state. If religion be looked upon as higher and more sacred, it must in itself be nothing really alien opposed to the constitution. It is indeed regarded as a maxim of the profoundest wisdom entirely to separate the laws and religion on the fact that in religion since bigotry and hypocrisy are to be feared as the results of a false religion. But although the aspects of religion and the state are different they

are radically one and the laws find their highest confirmation in religion.

Here it must be frankly stated that with the Catholic religion no rational constitution is possible for government and people must reciprocate that final guarantee of disposition and can have it only in a religion that is not opposed to a rational political constitution.

Plato in his *Republic* makes everything depend upon the government, and makes disposition the principle of the state on which account he lays the chief stress on education. The modern theory is diametrically opposed to this referring everything to the individual will. But here we have no guarantee that the will in question has that right disposition which is essential to the stability of the state.

In view then of these leading considerations we have to trace the course of the French Revolution and the remodelling of the state in accordance with the idea of right. In the first instance purely abstract philosophical principles were set up. Disposition and religion were not taken into account. The first constitutional form of government in France was one which recognized royalty: the monarch was to stand at the

head of the state. The first internal contradiction of the legislature absorbed the whole power of the administration: the budget affairs of war and peace and the levying of the armed force were in the hands of the Legislative Chamber. Everything was brought under the head of law. The budget however is in its nature something different from law for it is annually renewed and the power to which it properly belongs is that of the government. With this moreover is connected the indirect taxation of the ministry and finances of the state etc. The government was thus transferred to the Legislative Chamber as in England to the Parliament. This constitution was also vitiated by the existence of a mutual mistrust of the power it formally enjoyed, and the priests refused the oath. Neither government or constitution could be maintained on this footing and the ruin of both was the result. A government of mankind however is always in existence. The question presents itself then when did it emanate? Theoretically it proceeded from the people really and truly from the National Convention and its Committee. The former was dominant over the abstract

principles—freedom and as it exists within the limits of the subjective will—virtue. This virtue has now to conduct the government in opposition to the many whom their corruption and attachment to old interests or a liberty that has degenerated into license and the violence of their passions render unfaithful to virtue. Virtue is here a simple abstract principle and distinguishes the citizens into two classes only—those who are favorably disposed and those who are not. But disposition can only be recognized and judged of by disposition. *Suspicion* therefore is in the ascendant but virtue as soon as it becomes liable to suspicion is already condemned. Suspicion attained a terrible power and brought to the scaffold the monarch whose subjective will was in fact the religious conscience of a Catholic. Robe-pierre set up the principle of virtue as supreme and it may be said that with this man virtue was an earnest matter. Virtue and terror are the order of the day for subjective virtue whose sway is based on disposition only brings with it the most fearful tyranny. It exercises its power without legal formalities and the punishment it inflicts is equally simple—death. This tyranny could not last for all inclinations all interests reason it self revolted against this terribly consistent liberty which in its concentrated intensity exhibited so fanatical a shape. An organized government is introduced analogous to the one that had been displaced only that its chief and monarch is now a mutable Directory of Five who may form a moral but have not an individual unity under them all. A suspicion was in the ascendant and the government was in the hands of the legislative assemblies this constitution therefore experienced the same fate as its predecessor for it had proved to itself the absolute necessity of a governmental power. Napoleon restored it as a military power and followed up this step by establishing himself as an individual will at the head of the state. He knew how to rule and soon settled the internal affairs of France. The *arocrats* idealogues and abstract principle men who ventured to show themselves he sent to the right about and the sway of mistrust was exchanged for that of respect and fear. He then with the vast might of his char-

— were never gained expeditions displaying great genius were never conducted but never was the powerlessness of victory exhibited in a clearer light than then. The disposition of the

peoples *se* their religious disposition and that of their nationality ultimately precipitated this colossus and in France constitutional monarchy with the *Charte* as its basis was restored. But here again the antithesis of disposition and mistrust made its appearance. The French stood in a mendacious position to each other when they issued addresses full of devotion and love to the monarchy and loading it with benediction. A fifteen years farce was played. For although the *Charte* was the standard under which all were enrolled and though both parties had sworn to it yet on the one side the ruling disposition was a Catholic one which regarded it as a matter of conscience to destroy the existing institutions. Another breach therefore took place and the government was overturned. At length after forty years of war and confusion indescribable a weary heart might fain congratulate itself on seeing a termination and tranquilization of all these disturbances. But although one main point is set at rest there remains on the one hand that rupture which the Catholic principle inevitably occasions on the other hand that which has to do with men's subjective will. In regard to the latter the main feature of incompatibility still presents itself in the requirement that the ideal general will should also be the *empirically* general—*se* that the units of the state in their individual capacity should rule or at any rate take part in the government. Not satisfied with the establishment of rational rights with freedom of person and property with the existence of a political organization in which are to be found various circles of civil life each having its own functions to perform and with that influence over the people which is exercised by the intelligent members of the community and the confidence that is felt in them. *Liberalism* sets up in op-

—this abstraction—the party in question allow no political organization to be firmly established. The particular arrangements of the government are forthwith opposed by the advocates of liberty as the mandates of a particular will and branded as displays of arbitrary power. The will of the many expels the minority from power and those who had formed the opposition fill the vacant places but the latter having now become the government meet with hostility from the many and share the same fate. Thus agita-

but in times are persecuted. This collision on the other hand is the problem which has now occupied, and whose solution it has sought in the future.

We have now to consider the French Revolution and its connection with the history of the world for in its substantial import that revolution is world-historical, and that contest of nations which we discussed in the last paragraph may be properly distinguished from its wider consequences. As regards outward direction its range gained access to almost all modern nations. The great quest rightly expressed in traditional Latin political life. Particularity of the Roman nations and the Roman Catholic world-view—*For the Italy Span*—were referred to the dominion of Liberalism. But it was bankrupt everywhere first the grand aim in France then its branches in Spain and Italy twice in fact in the states into which it had been introduced. This was the case in Spain where it was first brought in by the Napoleonic conquest, then by that which the Cortes showed in Piedmont, first when it was incorporated with the French Empire and second time as the result of an insurrection so in Rome and in Naples was twice set up. Thus Liberalism as an abstraction, emanating from France, traversed the Roman world but relied on slavery held the world in the fetters of political servitude. France is a false principle that believes which blood right and freedom can be taken without the emancipation of mankind. It is a false principle which cannot be reversed. These nations, therefore, set back the Liberal revolution in Italy with some modifications of the outward political condition. Venice and Genoa, those ancient aristocracies which could at least boast of democracy vanquished as in despotisms. Menial superiority in power can ensure enduring results. Napoleon could not coerce permanent freedom any more than Philip II could force Holland to obey.

Confronted with these Roman nations we observe the other powers of Europe and especially the Protestant nations, Austria and England were of drawn within the vortex of internationalism, and exhibited great immense progress in their moral history. Austria is not a kingdom, but an empire, an aggregate of many principalities. The inhabitants of its provinces are of German origin and character and have remained unaffected by ideas. Elevated either by education or by Ignorance, the lower classes in some districts have

remained in a condition of serfdom and the nobility have been kept down in Bohemia in other quarters while the former have enjoyed the same the barons have maintained their despotism as in Hungary. Austria has surrendered that more intimate connection with Germany which was derived from the imperial dignity and renounced its numerous possessions and rights in Germany and the Netherlands. It now takes its place in Europe as a distinct power in

the general convulsion though it seemed so much the more liable to be affected but as a public Parliament that habit of a assembling in public meetings, which was common to all orders of the state and a free press offered singular facilities for introduction, the French principles of liberty and equality among all classes of the people. Was the English nation too backward in point of culture to apprehend these general principles? Yet in no country has the question of liberty been so frequently a subject of reflection and public discussion. Or was the English constitution so essentially a free constitution had those principles been already so completely realized in that they could no longer exert opposition or even interest? The English nation may be said to have approved of the emancipation of France but it was proudly reliant on its own constitution and freedom and instead of imitating the example of the foreigner it displayed a violent hostility to its rival and was soon involved in a popular war with France.

The Constitution of England is a complex of mere particular rights and particular privileges the government is essentially administrative—this is the conviction of the interests of all particular orders and classes and each particular church, parochial district county society takes care of itself so that the government, strictly speaking has no where less to do than in England. This is the leading feature of what Englishmen call their liberty and is the very antithesis of such a centralized administration as exists in France where down to the least village the mayor is named by the Ministry their agents. Nowhere can people so liberate free action on the part of the state than in France where the Ministry combines in itself all administrative power to which on the other hand the Chamber of Deputies lays claim. In England, on the contrary every parish every subordinate division and association has part of its own to perform. Thus the common interest is concrete

and particular interests are taken cognizance of and determined in view of that common interest. These arrangements based on particular interests render a general system impossible.

Positive rights attached to them which date from the antique times of feudal law and have been preserved in England more than in any other country. By an inconsistency of the most startling kind we find them contravening equity most grossly and of institutions characterized by real freedom there are nowhere fewer than in England. In point of private right and freedom of possession they present an incredible deficiency—sufficient proof of which is afforded in the rights of primogeniture involving the necessity of purchasing or otherwise providing military or ecclesiastical appointments for the younger sons of the aristocracy.

The *Parliament governs* although English men are unwilling to allow that such is the case. It is worthy of remark that what has been always regarded as the period of the corruption of a republican people presents itself here in election to seats in Parliament by means of bribery. But this also they call freedom—the power to sell one's vote and to purchase a seat in Parliament.

But this utterly inconsistent and corrupt state of things has nevertheless one advantage that it provides for the possibility of a government—that it introduces a majority of men into Parliament who are statesmen who from their very youth have devoted themselves to political business and have acquired that knowledge and experience which are the basis of a nation's confidence. That therefore will be its confidence to a body of men who have had experience in governing for a general sense of particularity involves also a recognition of that form of particularity which is a distinguishing feature of one class of the community—that knowledge, experience and facility acquired by practice which the aristocracy who devote themselves to such interests exclusively possess. This is quite opposed to the appreciation of principles and abstract views which everyone can understand at once and which are besides to be found in all constitutions and charters. It is a question whether the reform in Parliament now on the tapis consistently carried out will leave the possibility of a government.

The material existence of England is based on commerce and industry and the English have undertaken the weighty responsibility of being the missionaries of civilization to the world for their commercial spirit urges them to traverse every sea and land to form connections with barbarous peoples to create wants and stimulate industry and first and foremost to establish among them the conditions necessary to commerce viz the relinquishment of a life of lawless violence respect for property and civility to strangers.

Germany was traversed by them.

The condition of Germany is that code of rights which was certainly occasioned by French oppression since this was the especial means of bringing to light the deficiencies of the old system. The fiction of an empire has utterly vanished. It is broken up into sovereign states. Feudal obligations are abolished for freedom of property and of person have been recognized as fundamental principles. Offices of state are open to every citizen talent and adaptation being of course the necessary conditions. The government rests with the official world and the personal decision of the monarch constitutes its apex for a final decision is as was remarked above absolutely necessary. Yet with firm

is certainly a very fortunate circumstance for a nation when a sovereign of noble character falls to its lot yet in a great state even this is of small moment since its strength lies in the reason incorporated in it. Minor states have their existence and tranquility secured to them more or less by their neighbours they are therefore properly speaking not independent and have not the fiery trial of war to endure. As has been remarked a share in the government may be obtained by every one who has a competent knowledge, experience and a morally regulated will. Those who know ought to govern—*apart* not ignorance and the presumptuous conceit of knowing better. Lastly as to this position we have

Protestantism with its separation from religion no sacred science in a state of separation from or perhaps even hostility to secular right.

This is the point which consciousness has attained and these are the principal phases of that

from which the principle of freedom has realized itself for the history of the world is nothing itself only with the glory of the idea mirroring its life in the history of the world. Philosophy escapes from the weary strife of passions that ag-

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of fundamental and the most interesting to their families. For Philosophy concerns essentially his own

and particular interests are taken cognizance of and determined in view of that common interest. These arrangements based on particular interests render a general system impossible. Consequently abstract and general principles have no attraction for Englishmen; are addressed in their case to inattentive ears. The particular interests above referred to have positive rights attached to them which date from the antique times of feudal law and have been preserved in England more than in any other country. By an inconsistency of the most startling kind we find them contravening equity most grossly and of institutions characterized by real freedom there are nowhere fewer than in England. In point of private right and freedom of possession they present an incredible deficiency—sufficient proof of which is afforded in the rights of primogeniture involving the necessity of purchasing or otherwise providing military or ecclesiastical appointments for the younger sons of the aristocracy.

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but there must be a government and is therefore willing to give its confidence to a body of men who have had experience in governing for a general sense of particularity involves also a recognition of that form of particularity which is a distinguishing feature of one class of the community—that knowledge, experience and facility acquired by practice which the aristocracy who devote themselves to such interests exclusively possess. This is quite opposed to the appreciation of principles and abstract views which everyone can understand at once and which are besides to be found in all constitu

The material existence of England is based on commerce and industry and the English have undertaken the weighty responsibility of being the missionaries of civilization to the world for their commercial spirit urges them to traverse every sea and land to form connections with barbarous peoples to create wants and stimulate industry and first and foremost to establish among them the conditions necessary to commerce: viz. the relinquishment of a life of lawless violence, respect for property and civility to strangers.

Germany was traversed by the victorious French hosts but German nationality delivered it from this yoke. One of the leading features in the political condition of Germany is that code of rights which was certainly occasioned by French oppression since this was the especial means of bringing to light the deficiencies of the old system. The fiction of an empire has utterly vanished. It is broken up into sovereign states. Feudal obligations are abolished for freedom of property and of person have been recognized as fundamental principles. Offices of state are open to every citizen, talent and adaptation being of course the necessary conditions. The government rests with the official world and the personal decision of the monarch constitutes its apex for a final decision is as was remarked above absolutely necessary. Yet with firmly established laws and a settled organization of the state what is left to the sole arbitrament of the monarch is in point of substance no great matter. It is certainly a very fortunate circumstance for a nation when a sovereign of noble character falls to its lot yet in a great state even this is of small moment since its strength lies in the reason incorporated in it. Minor states have their existence and tranquillity secured to them more or less by their neighbours they are therefore properly speaking not independent and have not the fiery trial of war to endure. As has been remarked a share in the government may be obtained by every one who has a competent knowledge, experience and a morally regulated will. Those who know ought to govern—*apart from* not ignorance and the presumptuous conceit of knowing better. Lastly as to disposition we have already remarked that in the

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 answer for the world is nothing
 as it is determined. If the idea of freedom
 is the freedom—the laws of a free
 demand the subjection of the more con-
 siderable will for this is in its nature formal. If
 we do not use reason, human nature
 is more in conformity with the rea-
 son which it embodies and thus we have the
 natural law—objective freedom
 is realized. We have reached the end of the
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self only with the glory of the idea in front
 self in the glory of the world. Philosophy
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 tied to the sufferings of society to the calm realm
 of contemplation that which interests is the
 continuation of the process of development with
 the idea has not entered the realm of realization.

characteristics which his animals prove it is this process of development and the realization of even — this is the true *Theodora* in the past — is a God in history. Only this is the true and complete spirit with the history of the world — the what has happened, and is happening, every day is no only a "without God, but is essentially His work.